



## CHAPTER ccxi.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Blackpool, Leicester (two), Salford, Stafford, West Ham, and Worthing, and to the Conway and Colwyn Bay Joint Water Supply District. [5th August 1891.]

A.D. 1891.

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

38 & 39 Vict.  
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament, and that the provision 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 as amended and set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force.

Orders  
in schedule  
confirmed.

2. If at any time within two years from the passing of this Act the local board for the district of Swinton and Pendlebury and the local board for the district of Barton, Eccles, Winton, and Monton, in the county of Lancaster (herein-after in this section called "the local boards"), jointly, or either of such boards separately, shall apply to Parliament for power to supply the said districts and the other districts within the limits of gas supply of the mayor, aldermen, and burgesses of the borough of Salford (in this section referred to as "the corporation"), except the borough of Salford and the township of Prestwich, with gas, and to purchase such portion of the gas undertaking of the corporation as is situate

Provision  
for sale of  
portion of gas  
undertaking  
of corpora-  
tion of Sal-  
ford to local  
boards of  
Swinton and  
Pendlebury,  
and Barton,  
Eccles, Win-  
ton, and  
Monton.

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Orders Confirmation (No. 14) Act, 1891.*

A.D. 1891. within such districts, then it shall not be lawful for the corporation to oppose such application except in so far as may be necessary in order to secure the insertion in any Act of clauses to protect their interests with respect to such purchase, and if such powers of purchase be granted the corporation shall sell and the local boards shall purchase such portion of the gas undertaking of the corporation within the said districts at such price as shall in default of agreement be fixed by arbitration under the provisions of the Lands Clauses Acts.

In assessing such price the arbitrators or umpire shall be entitled to take into consideration whether the corporation are entitled to charge a differential rate to the out districts, and if requested by either party shall state a case for the opinion of the High Court to determine the question.

On the completion of such purchase all powers, rights, and obligations of the corporation under any Act of Parliament to supply gas within such districts shall absolutely cease and determine.

Special  
provision as  
to houses of  
labouring  
class in West  
Ham.

3. The Sanitary Authority for the Urban Sanitary District of West Ham shall not, without the consent of the Local Government Board, purchase or acquire, either compulsorily or by agreement, in that district ten or more houses included in the schedule to the Order relating to that district hereby confirmed 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.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, 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. 4. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 14) Act, 1891.



SCHEDULE.

A.D. 1891.

Blackpool  
Order.  
(2.)

BOROUGH OF BLACKPOOL.

*Provisional Order for altering the Blackpool Improvement Act, 1879.*

To the Mayor, Aldermen, and Burgesses of the Borough of Blackpool,  
being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

WHEREAS the Borough of Blackpool (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 Blackpool Improvement Act, 1879 (herein-after referred to as "the Local Act"), so far as the same has not been repealed and as altered by certain Provisional Orders of the Local Government Board dated respectively the Sixth day of June, One thousand eight hundred and eighty-seven, the Twelfth day of May, One thousand eight hundred and eighty-eight, and the Twentieth day of May, One thousand eight hundred and ninety, and duly confirmed by Parliament, is now in force in the Borough ;

42 & 43 Vict.  
c. cxcix.

And whereas by Section 36 of the Local Act it is (inter alia) enacted that for the purposes of the application of the Gasworks Clauses Act, 1871, to the gas undertaking of the Corporation, the land on which alone the Corporation shall manufacture gas or any residual products shall be the lands described in the Third Schedule to that Act ;

34 & 35 Vict.  
c. 41.

And whereas by Section 59 of the Local Act it is enacted that whoever, in any street in the Borough, shall do any of the things in that section specified shall be deemed to have been guilty of an offence within the meaning of Section 28 of the Towns Police Clauses Act, 1847, and be punishable accordingly ;

10 & 11 Vict.  
c. 89.

And whereas by Section 66 of the Local Act it is enacted that a new building shall not be occupied as a dwelling-house until the drainage thereof has been completed, nor until the building has after examination been certified by the surveyor, or a person appointed by the Corporation, by writing under his hand, to be fit for human habitation ; but that if the surveyor, or such person as afore-said, for seven days after notice in writing to him fails to make such examination, nothing in the section shall prevent the building from being so occupied ; and it is further provided that if any person as owner lets as a dwelling-house any new building before the same is so certified, or before the expiration of the said seven days, or after the certificate has been refused, he shall be liable to a penalty not exceeding fifty pounds, and to a daily penalty not exceeding ten pounds ;

And whereas by Section 72 of the Local Act the term "new building" is defined :

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A.D. 1891.

*Blackpool  
Order.*

(2.)

38 & 39 Vict.  
c. 55.

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 Local Act shall be altered so as to provide as follows:—

Art. I. Section 36 shall be altered so as to provide that the Corporation may manufacture gas or any residual products on the lands described in the Schedule hereto as if such lands had been lands described in the Third Schedule to the Local Act.

Art. II. Section 59 shall be altered by the addition thereto of the following:—

“Every person who, with any other person or persons, shall assemble at any time of the day or night in such a manner as to annoy any foot passenger, or as to obstruct the footway, and who shall not comply with the direction or request of any constable to move away so as to leave the footway clear and unobstructed.”

“Every person who shall assault or insult any foot passenger.”

Art. III. Section 66 shall be altered by the insertion of the words “If any person, being the owner of any new building, permits or suffers to be occupied, or himself occupies, the same as a dwelling-house” in lieu of the words “If any person as owner lets as a dwelling-house any new building.”

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The SCHEDULE hereto above referred to.

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All that piece of land now belonging or reputed to belong to the Corporation, containing by estimation six acres one rood and thirty perches or thereabouts, bounded on the north by land belonging or recently belonging or reputed to belong to James Harwood, on the east by land conveyed by the Corporation to Edward Ross and Robert William Perks, on the south by Spen Dyke, and on the west by a street adjoining the east side of the Blackpool and Lytham Railway.

Given under the Seal of Office of the Local Government Board, this  
Twenty-ninth day of May, One thousand eight hundred and  
ninety-one.

(L.S.)

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



[54 & 55 VICT.] *Local Government Board's Provisional* [Ch. ccxi.]  
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CONWAY AND COLWYN BAY JOINT WATER SUPPLY DISTRICT. A.D. 1891.

*Provisional Order for forming a United District under Section 279  
of the Public Health Act, 1875.* Conway  
and  
Colwyn Bay  
Order.

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

To the Colwyn Bay and Colwyn Local Board, being the Sanitary Authority for the Urban Sanitary District of Colwyn Bay and Colwyn, in the County of Denbigh ; —

To the Guardians of the Poor of the Conway Union, in the Counties of Carnarvon and Denbigh, being the Sanitary Authority for the Rural Sanitary District of that Union ; —

And to all others whom it may concern.

WHEREAS the Borough of Conway, in the County of Carnarvon, is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council, are the Urban Sanitary Authority, and the Local Government District of Colwyn Bay and Colwyn, in the County of Denbigh, is an Urban Sanitary District, of which the Colwyn Bay and Colwyn Local Board are the Urban Sanitary Authority, and the Guardians of the Poor of the Conway Union, in the Counties of Carnarvon and Denbigh, are the Sanitary Authority for the Rural Sanitary District of that Union, and such Urban Sanitary Authorities and Rural Sanitary Authority are the Local Authorities for the said Urban Sanitary Districts and the said Rural Sanitary District respectively within the meaning of the Public Health Act, 1875 ;

And whereas application has been made to the Local Government Board by the said Local Authorities to form the said Urban Sanitary Districts and the said Rural Sanitary District into a United District for the purpose of procuring a common supply of water for those Districts :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 279 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order as follows ; viz.,— 88 & 39 Vict.  
c. 55.

Art I. This Order shall come into operation on the date of the Act of Parliament confirming the same (herein-after referred to as "the commencement of this Order").

Art. II. The Urban Sanitary Districts of Conway and Colwyn Bay and Colwyn, and the part of the Rural Sanitary District of the Conway Union which comprises the contributory places named in column 1 of Schedule B. hereto (which Urban Sanitary Districts and part of the Rural Sanitary District are herein-after referred to as "the Constituent Districts") shall be formed into a United District, to be called the Conway and Colwyn Bay Joint Water Supply District (herein-after referred to as "the United District"), for the purposes herein-after mentioned.

Art. III. The Joint Board, which shall be the governing body of the United District (herein-after referred to as "the Joint Board"), shall consist of three

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A.D. 1891. ex-officio and nine elective members, and shall be called the Conway and Colwyn  
Bay Joint Water Supply Board.

Conway  
and  
Colwyn Bay  
Order.

Art. IV. The ex-officio members shall be the persons described in column 3 of the Schedules hereto, and the elective members shall be elected by the said Urban Sanitary Authorities and the Rural Sanitary Authority (which Authorities are herein-after referred to as "the Constituent Authorities").

Art. V. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 4 of the said Schedules, and the said members shall be chosen by each of the Constituent Authorities from among the members of its own body :

Provided that the members to be chosen by the Constituent Authority mentioned in column 2 of Schedule B. hereto shall be selected from among the members of such Authority representing the contributory places mentioned in column 1 of the same Schedule, or from among the ex-officio members of such Authority being resident, and the owners or occupiers of property, in such contributory places, respectively, of a value sufficient to qualify them as elective Guardians of the Union.

Art. VI. The provisions of Rules 5 and 64 of Schedule II. to the Public Health Act, 1875, and of Section 4 of the Public Health (Members and Officers) Act, 1885, shall, mutatis mutandis, apply to members of the Joint Board.

Art. VII. The first election of members of the Joint Board by each of the Constituent Authorities shall take place at a meeting of the Constituent Authority to be held within six weeks from the commencement of this Order, or within such further time as the Local Government Board may, by Order, allow, and seven days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Board.

Art. IX. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or becomes disqualified, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen :

Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VI. of this Order, be re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected.

Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six



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weeks of such vacancy occurring, or within such further period as the Local Government Board may, by Order, determine, and seven days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

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Conway  
and  
Colwyn Bay  
Order.

Art. XI. The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and at all meetings of the Joint Board four members shall constitute a quorum:

Provided that an extraordinary meeting shall be summoned by the clerk to the Joint Board, when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board.

Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England or Wales of each member of the Joint Board four clear days before the day of meeting, or at such earlier time as the Joint Board may from time to time direct.

Art. XII. The Joint Board shall at their first meeting, or at any adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman, a treasurer, and a clerk, and they may from time to time appoint such other officers and servants as they think requisite. They may pay their treasurer, clerk, officers, and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, officer, and servant shall be removable by the Joint Board at their pleasure.

Art. XIII. The purposes for which the United District is formed are as follows:—

(a.) For procuring a common supply of water for the Constituent Districts.

(b.) For the acquisition of such lands, waterworks, rights, powers, easements, or privileges, and the execution, maintenance, improvement, enlargement, and extension of such works, and the doing of any such acts, as may be necessary and proper for collecting, impounding, storing, and conveying water for distribution by the several Constituent Authorities for public and private purposes, and generally for carrying into effect the purpose firstly herein-before mentioned, and any other purpose of this Order or any purpose connected therewith or incidental thereto.

Art. XIV.—(1.) From and after the first meeting of the Joint Board, all the powers, rights, duties, obligations, and liabilities of the Constituent Authorities, or any of them, under any agreements or arrangements which may have been entered into in connexion with the procuring of a common supply of water, shall be transferred to and vested in the Joint Board.

(2.) If within a period of two years from the commencement of this Order, the Joint Board shall have failed to carry out and perform the purposes for which the United District is formed, they shall be deemed to be a Local Authority in default under Section 299 of the Public Health Act, 1875.

Art. XV.—(1.) The Joint Board shall have, exercise, perform, and be subject to all the powers, rights, duties, capacities, liabilities, and obligations of a



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A.D. 1891. Local or Urban Sanitary Authority in relation to water supply under the Public Health Act, 1875, or any Act amending that Act, so far as the same are applicable to the purposes of this Order, and the provisions of the Public Health Act, 1875, and of any Act amending that Act, in relation to water or works belonging to a Local or Urban Sanitary Authority, shall, so far as the same are applicable, extend and apply to any water or works belonging to the Joint Board.

Conway  
and  
Colwyn Bay  
Order.

38 & 39 Vict.  
c. 55.  
47 & 48 Vict.  
c. 74.  
48 & 49 Vict.  
c. 53.

(2.) For the purposes of this Order the following sections of the Public Health Act, 1875, the Public Health (Officers) Act, 1884, and the Public Health (Members and Officers) Act, 1885, shall apply, and the Joint Board shall for the purposes of this Order have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections so far as the same are applicable; viz.,—

Of the Public Health Act, 1875 :—

Sections 173 and 174, relating to contracts.

Sections 175, 176, and 177, relating to purchase of lands.

Sections 179 to 181, both inclusive, relating to arbitration.

Section 192 (except as regards the Inspector of Nuisances), Sections 193 to 197, Section 200, and Sections 203 to 206, all inclusive, relating to officers and conduct of business of Local Authorities.

Sections 245, 247, (as amended by the District Auditors Act, 1879,) 249 and 250, relating to audit.

Sections 251, 253, and 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to legal proceedings.

Section 285, relating to the execution of works in adjoining districts, and combination for execution of works.

Section 299 (except so far as it relates to sewers), 300, 301, and 302, relating to defaulting Local Authorities.

Sections 305 to 309, both inclusive, relating to miscellaneous provisions.

Sections 327, 328, and 329.

Of the Public Health (Officers) Act, 1884 :—

Section 2.

Of the Public Health (Members and Officers) Act, 1885 :—

Section 2.

Art. XVI. The Joint Board may take over and maintain any works of water supply (other than distributing mains) which may have been constructed by any of the Constituent Authorities, upon giving one calendar month's previous notice of their intention so to do to the Constituent Authority to whom such works belong :

Provided that the Joint Board shall pay to the Constituent Authority from whom the works are so taken over such compensation as may be agreed upon between the Joint Board and such Constituent Authority, or, in default of agreement, as may be determined by arbitration in manner provided by the Public Health Act, 1875.

Art. XVII. The expenses incurred by the Joint Board shall be defrayed out of a common fund, to be contributed by the Constituent Districts respectively, in proportion to the amounts which, at the time of issuing the precepts of the



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Joint Board for the payment of the contributions, would be raised in the Constituent Districts respectively by a rate, in the nature of a general district rate, at an equal rate in the pound, in the said Urban Sanitary Districts, and by a rate to defray special expenses, at the same rate in the pound, in the several contributory places mentioned in the said Schedule B.; and the contributions of the said Rural Sanitary Authority towards such common fund shall be deemed to be "special expenses" within the meaning of the Public Health Act, 1875, and to have been apportioned between the said contributory places in the like proportions, and shall be raised accordingly.

A.D. 1891.

Conway  
and  
Colwyn Bay  
Order.

Art. XVIII. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of either of the Constituent Authorities, or by any officer of either of the Constituent Authorities authorised by them for that purpose, without payment.

Art. XIX. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

Art. XX. All works made by the Joint Board shall vest in and be under the control of the Joint Board; but each Constituent Authority shall be entitled as of right to receive a supply of water from the Joint Board sufficient for use in their District for public and private purposes, and for this purpose to connect their distributing mains or other works with the works of the Joint Board, subject to the following provisions:—

- (1.) The connexion between the distributing mains or other works of each Constituent Authority and the works of the Joint Board shall be made by the Joint Board at the expense of the Constituent Authority; and such connexion shall, when made, be wholly under the control of the Joint Board, and the Joint Board shall at their own cost be at liberty at any time to alter such connexion accordingly.
- (2.) After the commencement of this Order, any Constituent Authority proposing to construct any new distributing main, or other work for the distribution of water, which is intended to be connected directly with any of the works of the Joint Board, shall, two months at least before they commence the construction thereof, send to the Joint Board plans and sections showing the proposed places of connexion, the proposed level at such places of the intended new distributing main or other work, and such other particulars as the Joint Board may require in relation to such main, work, or connexion; and the place of every such connexion, and the level thereof of every such new distributing main or other work, shall be such as shall be determined by the Joint Board; and every dispute respecting any such determination which may arise between any of the Constituent Authorities and the Joint Board shall be referred to the Local Government Board, whose decision thereon shall be conclusive.

Art. XXI. The Joint Board may, with the sanction of the Local Government Board, supply water, by agreement, to the Local Authority of any District adjoining the United District as if the Joint Board were a Local Authority within the meaning of Section 61 of the Public Health Act, 1875:

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A.D. 1891.

—  
*Conway  
and  
Colwyn Bay  
Order.*  
—

Provided that if, for the purposes of such supply, it shall be necessary to use any works belonging exclusively to any of the Constituent Authorities, the Joint Board shall pay to such Authority such compensation for the use thereof as may be agreed upon between the Joint Board and such Authority, or, in default of agreement, as may be determined by arbitration in the manner provided by the Public Health Act, 1875.

Art. XXII. If at any time all or part of any of the contributory places mentioned in Schedule B. hereto becomes or is included in an Urban Sanitary District, the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XXIII. If at any time any difference arises between the Joint Board on the one hand and any of the Constituent Authorities on the other hand, or between any of the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Public Health Act, 1875, except in any case otherwise herein-before provided for.

Art. XXIV. The Joint Board may, if they think fit, pay any reasonable costs, charges, and expenses incurred by or on behalf of the Constituent Authorities, or any of them, in connexion with the agreements and arrangements for a scheme of joint water supply for the Constituent Districts.

The SCHEDULES above referred to.

SCHEDULE A.

URBAN SANITARY DISTRICTS.

1. Name of District.	2. Name of Sanitary or Local Authority.	3. Ex-officio Members.		4. Elective Members.
		Number.	Description.	Number.
Conway, Borough of.	The Mayor, Aldermen, and Burgesses of the Borough of Conway acting by the Council.	1	The Mayor.	3
Colwyn Bay and Colwyn, Local Government District of.	The Colwyn Bay and Colwyn Local Board.	1	The Chairman of the Local Board.	3



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SCHEDULE B.

A.D. 1891.

RURAL SANITARY DISTRICT.

*Conway  
and  
Colwyn Bay  
Order.*

1. Name of District.	2. Name of Sanitary or Local Authority.	3. Ex-officio Member.		4. Elective Members.
		Number.	Description.	Number.
Rural Sanitary District of the Conway Union : Contributory places of Eglwys Rhos, Llandudno, Llan- gwstenin, Llansaint- ffraid, and Llysfaen.	The Guardians of the Poor of the Conway Union acting as the Rural Sanitary Autho- rity.	1	The Chairman of the Board of Guardians act- ing as the Rural Sanitary Authority, or in the case of his being also the Chairman of the Local Board, or the Mayor of the Borough, then the Vice-Chairman of the Board of Guardians act- ing as the Rural Sanitary Authority, or if there are two Vice-Chairmen, then the Vice-Chairman having precedence.	3

Given under the Seal of Office of the Local Government Board, this  
Tenth day of June, One thousand eight hundred and ninety-one.

(L.S.)

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

BOROUGH OF LEICESTER.

*Leicester  
Order.*

*Provisional Order for altering the Leicester Improvement,  
Drainage, and Markets Act, 1868.*

To the Mayor, Aldermen, and Burgesses of the Borough of Leicester, being  
the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

WHEREAS the Borough of Leicester (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 provisions of the Leicester Improve-  
ment, Drainage, and Markets Act, 1868 (herein-after referred to as "the Local  
Act"), are in force in the Borough ;

31 & 32 Vict.  
c. xxiv.

And whereas by Section 37 of the Local Act it is enacted that the regulations  
set forth in the Schedule to that Act shall have effect as if they had been set  
forth and enacted in the body of that Act ;

And whereas by the Regulation numbered 7 in the Schedule to the Local Act,  
provision was made with respect to the open space to be provided in connexion  
with dwelling-houses :

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A.D. 1891.

*Leicester  
Order.*

38 & 39 Vict.  
c. 55.

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 (herein-after referred to as "the commencement of this Order"), the following provisions shall have effect:—

Art. I. The Local Act shall be altered so as to provide that as from the commencement of this Order the following regulations shall have effect as if they had been set out in the Schedule to that Act; viz.,—

(1.) No dwelling-house shall be erected so as to front on any court, square, or common yard unless such court, square, or common yard shall—

(a) be of not less width than thirty feet throughout the whole length of such court, square, or common yard, and free from any erection thereon; and

(b) have an entrance of a width throughout equal to the width of the court, square, or common yard communicating with a road or way not less than thirty feet wide, and open from the ground upwards.

(2.) Every dwelling-house erected in a court, square, or common yard shall have an amount of open space in the rear thereof equal in extent to the open space required to be in the rear of a dwelling-house in pursuance of the first paragraph of the Regulation numbered 7 in the Schedule to the Local Act.

Art. II. The Local Act shall be further altered so as to provide that the building of any dwelling-house, not abutting on any street or highway, at the rear of any houses or buildings shall be deemed to be the erection of a dwelling-house in a court, square, or common yard.

Given under the Seal of Office of the Local Government Board, this  
Twenty-second day of May, One thousand eight hundred and  
ninety-one.

(L.S.)

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

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BOROUGH OF LEICESTER.

*Leicester  
Order.*

(2.)

*Provisional Order for altering the Leicester Corporation Gas  
and Water Transfer Act, 1878.*

To the Mayor, Aldermen, and Burgesses of the Borough of Leicester,  
being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Leicester (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 Leicester Corporation Gas and Water

41 & 42 Vict.  
c. cxxxii.



[54 & 55 VICT.] *Local Government Board's Provisional* [Ch. ccxi.]  
*Orders Confirmation (No. 14) Act, 1891.*

Transfer Act, 1878 (herein-after referred to as "the Local Act"), so far as the same has not been repealed, is in force in the Borough ;

And whereas by Section 28 of the Local Act the Corporation were empowered, in addition to the sums which they were authorised to borrow under any other Act, to borrow (inter alia) for the purposes of the gas undertaking (including the sums borrowed to pay off the mortgage debt of the Leicester Gas Company) two hundred and fifty thousand pounds ;

And whereas by Section 36 of the Local Act the Corporation were required to apply the gas revenue to the purposes therein specified, including the provision of a reserve fund to be accumulated and applied as therein mentioned :

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 Local Act shall be altered so as to provide as follows :—

Art. I. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow, on the security of the gas revenue, and of the district fund and general district rate of the Borough, or on either of such securities, such sums as they may from time to time think requisite, for the purposes of their gas undertaking, not exceeding in the whole the sum of one hundred thousand pounds, in addition to the sum authorised to be borrowed for those purposes by the Local Act :

Provided that the Corporation shall not raise any moneys under the power of borrowing conferred by this Order by the issue of irredeemable stock.

Art. II. The moneys borrowed under this Order shall be repaid within such periods, not exceeding thirty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine, and the periods so determined and sanctioned shall be deemed to be the "prescribed periods" within the meaning of the Local Loans Act, 1875, and are herein-after referred to as "the prescribed periods."

Art. III. The Corporation shall repay the moneys borrowed under 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 moneys so borrowed within the prescribed periods.

Art. IV. The Corporation shall invest any sinking fund so set apart, and the interest on and the sums paid into the fund, 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 Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

Art. V. The Corporation may at any time apply the whole or any part of any such sinking fund in or towards the discharge of the money for the repayment of which the fund is established : Provided that the Corporation pay into

A.D. 1891.

Leicester  
Order.  
(2).

38 & 39 Vict.  
c. 55.



[Ch. ccxi.] *Local Government Board's Provisional [54 & 55 VICT.]  
Orders Confirmation (No. 14) Act, 1891.*

A.D. 1891.

*Leicester  
Order.  
(2.)*

such 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 such sinking fund or the part of such sinking fund so applied at the rate per cent. on which the annual payments to the sinking fund are based.

Art. VI. The Corporation may re-borrow for the purpose of paying off moneys borrowed under this Order, and not paid off by means of any sinking fund set apart for their repayment, or by instalments, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account (not being borrowed moneys): Provided that all moneys so re-borrowed shall be repaid within the prescribed period, and any moneys from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

Art. VII. The town clerk shall, within twenty-one days after the Twenty-fifth day of March in each year in which any sum is required to be paid as an instalment, or to be set apart for a sinking fund, in pursuance of 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 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, the town 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 in a summary manner under the Public Health Act, 1875, may be recovered by parties aggrieved within the meaning of that Act.

Art. VIII. If it appears to the Local Government Board by that return, or otherwise, that the Corporation 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 the High Court.

Art. IX. The paragraphs commencing "Fifthly," "Sixthly," and "Seventhly" of Section 36 shall be altered as follows:—

The paragraph commencing "Fifthly," by the addition of the words "or  
" other moneys borrowed or re-borrowed for the purposes of the gas under-  
" taking," after the words "gas revenue."



[54 & 55 VICT.] *Local Government Board's Provisional* [Ch. ccxi.]  
*Orders Confirmation (No. 14) Act, 1891.*

The paragraph commencing "Sixthly," by the addition of the words "or of other  
" moneys borrowed or re-borrowed for the purposes of the gas undertaking,"  
after the words "gas revenue."

The paragraph commencing "Seventhly," by the substitution of "fifty" for  
"five" where the same occurs in the paragraph; by the addition of the  
words "or for any expenditure attendant upon or occasioned by any sudden  
" accident to the said gas works or any works connected therewith," after  
the words "in respect of that undertaking," and by the addition of the  
following proviso,—Provided that such reserve fund shall be accumulated  
by way of compound interest by investment in the manner specified in  
Article IV. of this Order as to the sinking fund, until it amounts, according  
to the market price of such investments, to the sum of fifty thousand pounds,  
and that whenever the reserve fund amounts, according to the market price  
of such investments, to the sum of fifty thousand pounds, the income  
therefrom shall be applied in the same manner as gas revenue.

Art. X. All costs incurred by the Local Government Board, including such  
reasonable sum, not exceeding three guineas a day, as that Board may determine  
for the services of any inspector, in relation to the duties imposed on that Board  
under this Order, shall be paid by the Corporation out of such fund or rate as  
the Local Government Board may direct, and any sum so determined by the  
Board shall be a debt due to the Crown from the Corporation.

Given under the Seal of Office of the Local Government Board, this  
First day of June, One thousand eight hundred and ninety-one.

(L.S.)

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

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BOROUGH OF SALFORD.

*Provisional Order for altering certain Local Acts.*

To the Mayor, Aldermen, and Burgesses of the Borough of Salford, being  
the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Salford (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 Salford Improvement Act, 1862, the  
Salford Improvement Act, 1867, the Salford Improvement Act, 1870, the Salford  
Improvement Act, 1871, and the Salford Tramways and Improvement Act, 1875  
(which Acts are herein-after together referred to as "the Local Acts," and  
separately as the Act of the year in which it was passed), as altered, and so far  
as the same have not been repealed, are in force in the Borough;

And whereas by virtue of Section 82 of the Act of 1862 and of Section 7 of  
the Act of 1867 the Corporation are prohibited from manufacturing gas except  
upon certain lands specified in those Acts;

A.D. 1891.

*Leicester*  
*Order.*  
(2.)

*Salford*  
*Order.*  
—

25 & 26 Vict.  
c. ccv.  
30 Vict.  
c. lvii.  
33 & 34 Vict.  
c. cxxix.  
34 & 35 Vict.  
c. cx.  
38 & 39 Vict.  
c. ci.



[Ch. ccxi.] *Local Government Board's Provisional [54 & 55 VICT.]  
Orders Confirmation (No. 14) Act, 1891.*

A.D. 1891.

—  
*Salford  
Order.*  
—

And whereas by Section 385 of the Act of 1862 the Corporation were empowered to borrow, for the purposes of the waterworks, any sum of money which, together with the sum of twenty thousand pounds then due and owing, should not exceed the sum of fifty thousand pounds ;

And whereas by Section 391 of the Act of 1862, Section 16 of the Act of 1867, Section 90 of the Act of 1870, and Section 57 of the Act of 1875 borrowing powers for (inter alia) gas purposes were conferred upon the Corporation ;

And whereas by the Act of 1871 the Corporation were empowered to carry out certain drainage and sewerage works, and by Sections 58, 59, and 60 of the Act of 1875 borrowing powers for (inter alia) the drainage and sewerage works so authorised were conferred upon the Corporation ;

45 & 46 Vict.  
c. xvii.

And whereas by a Provisional Order of the Local Government Board dated the Sixteenth day of May, One thousand eight hundred and eighty-two, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act, 1882 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Act of 1875 was altered so as to confer upon the Corporation additional borrowing powers for (inter alia) gas-works purposes and sewerage works :

38 & 39 Vict.  
c. 55.

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 :—

Art. I. The Act of 1862 and the Act of 1867 shall be altered so as to provide that, notwithstanding anything therein contained to the contrary, the Corporation may manufacture gas on the land described in the Schedule hereto.

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

(1.) The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow the sums for the purposes following, in addition to any moneys which they may have been authorised to borrow for those purposes under the Local Acts as altered by the Order ; viz.,—

(a.) For the purposes of the gasworks of the Corporation, and on security of the revenue arising from the gas undertaking of the Corporation, and of the borough fund and borough rate of the Borough, or upon either of such securities, any sum or sums not exceeding in the whole the sum of one hundred and thirty-four thousand pounds.

(b.) For the purposes of the waterworks of the Corporation, and on security of the revenue arising from the water undertaking of the Corporation, and of the borough fund and borough rate of the Borough, or upon either of such securities, any sum or sums not exceeding in the whole the sum of eighteen thousand pounds.

(c.) For the purposes of drainage and sewerage works, and on security of the district fund and general district rate of the Borough, any sum or sums not exceeding in the whole the sum of fifty thousand pounds.



[54 & 55 VICT.] *Local Government Board's Provisional* [Ch. ccxi.]  
*Orders Confirmation (No. 14) Act, 1891.*

- (2.) All moneys borrowed or re-borrowed under this Order shall be applied only to the purposes for which, by the sanction of the Local Government Board, they are authorised to be borrowed. A.D. 1891.  
*Salford*  
*Order.*
- (3.) 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 Corporation, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money borrowed under this Order, other than money borrowed under the provisions of the Local Loans Act, 1875. 38 & 39 Vict.  
c. 83.
- (4.) The moneys borrowed under this Order shall be repaid within such periods, not exceeding sixty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine, and the periods so determined and sanctioned shall be deemed to be the "prescribed periods" within the meaning of the Local Loans Act, 1875, and are herein-after referred to as "the prescribed periods."
- (5.) The Corporation shall repay the moneys borrowed under 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 moneys so borrowed within the prescribed periods.
- (6.) The Corporation shall invest any sinking fund so set apart, and the interest on and the sums paid into the fund, 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 Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.
- (7.) The Corporation may at any time apply the whole or any part of any such sinking fund in or towards the discharge of the money for the repayment of which the fund is established: Provided that the Corporation pay into such 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 such sinking fund or the part of such sinking fund so applied at the rate per cent. on which the annual payments to the sinking fund are based.
- (8.) The Corporation may re-borrow for the purpose of paying off moneys borrowed under this Order, and not paid off by means of any sinking fund set apart for their repayment, or by instalments, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account (not being borrowed moneys): Provided that all moneys so re-borrowed shall be repaid within the prescribed periods, and any moneys from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

[Ch. ccxi.] *Local Government Board's Provisional [54 & 55 VICT.]  
Orders Confirmation (No. 14) Act, 1891.*

A.D. 1891.

*Salford  
Order.*

- (9.) The treasurer of the Borough shall, within twenty-one days after the Twenty-fifth day of March in each year in which any sum is required to be paid as an instalment or to be set apart for a sinking fund, in pursuance of 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 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 treasurer 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.
- (10.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation 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 the High Court.

Art. III. The Act of 1862 shall be further altered so as to provide that, notwithstanding the provisions of Section 5 of the Lands Clauses Consolidation Acts Amendment Act, 1860 (which is by Section 339 of the Act of 1862 incorporated with that Act), the borrowing powers conferred by this Order in respect of the gasworks of the Corporation shall not be reduced, although the consideration for the purchase of the land mentioned in the Schedule to this Order may have been the payment of a perpetual yearly fee-farm rentcharge as provided by Section 340 of the Act of 1862.

Art. IV. The Local Acts shall be further altered so as to provide that all costs incurred by the Local Government Board, including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the services of any inspector, in execution of the powers conferred on that Board under this Order, shall be paid by the Corporation out of such fund or rate as the Local Government Board may direct, and any sum so determined by the Board shall be a debt due to the Crown from the Corporation.



[54 & 55 VICT.] *Local Government Board's Provisional* [Ch. ccxi.]  
*Orders Confirmation (No. 14) Act, 1891.*

The SCHEDULE above referred to.

A.D. 1891.

*Salford*  
*Order.*

All those pieces or parcels of land situate in Liverpool Street, Salford, containing by admeasurement 9,107 square yards or thereabouts, which are bounded on the south by the said street, on the west by Albion Street, on the north by West Gore Street, and on the east by land belonging or reputed to belong to the Lancashire and Yorkshire Railway Company.

Given under the Seal of Office of the Local Government Board, this  
Twenty-fifth day of May, One thousand eight hundred and  
ninety-one.

(L.S.)

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

BOROUGH OF STAFFORD.

*Stafford*  
*Order.*  
(2.)

*Provisional Order for altering the Stafford Corporation Act, 1876,*  
*and a Confirming Act.*

To the Mayor, Aldermen, and Burgesses of the Borough of Stafford, being  
the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

WHEREAS the Borough of Stafford, in the County of Stafford (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  
Stafford Corporation Act, 1876 (herein-after referred to as "the Local Act"),  
so far as the same has not been repealed and as altered by the Provisional Order  
herein-after mentioned, and by certain other Provisional Orders confirmed by  
Parliament, is in force in the Borough ;

39 & 40 Vict.  
c. cxxvi.

And whereas by Section 95 of the Local Act the Corporation were empowered,  
with the consent of the Local Government Board, to borrow (inter alia) for gas  
purposes such sums as might be required for the purchase of the undertaking of  
the Stafford Gas Company pursuant to the provisions of that Act ;

And whereas by a Provisional Order of the Local Government Board dated  
the Third day of May, One thousand eight hundred and eighty-two, and  
confirmed by the Local Government Board's Provisional Orders Confirmation  
(No. 3) Act, 1882 (which Order and Act are herein-after referred to as "the  
Order" and "the Confirming Act"), Section 95 of the Local Act was altered  
so as to enable the Corporation to borrow, for gas purposes, a sum not exceeding  
ten thousand pounds, in addition to the sums which the Corporation were by  
the Local Act authorised to borrow for those purposes :

45 & 46 Vict.  
c. lxi.

[Ch. ccxi.] *Local Government Board's Provisional [54 & 55 VICT.]  
Orders Confirmation (No. 14) Act, 1891.*

A.D. 1891.

*Stafford  
Order.  
(2.)*

38 & 39 Vict.  
c. 55.

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

Art. I. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow, on the security of the revenue arising from their gas undertaking, and of the borough fund and borough rate of the Borough, or on either of such securities, such sums as they may from time to time think requisite, for the purposes of their gas undertaking, not exceeding in the whole the sum of twenty thousand pounds, in addition to the sums authorised to be borrowed for those purposes by the Local Act and the Order.

38 & 39 Vict.  
c. 83.

Art. II. 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 Corporation, 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 Local Loans Act, 1875.

Art. III. The moneys borrowed under this Order shall be repaid within such periods, not exceeding thirty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine, and the periods so determined and sanctioned shall be deemed to be the "prescribed periods" within the meaning of the Local Loans Act, 1875, and are herein-after referred to as "the prescribed periods."

Art. IV. The Corporation shall repay the moneys borrowed under 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 moneys so borrowed within the prescribed periods.

Art. V. The Corporation shall, if the sinking fund so set apart is not immediately applied in repayment of debt, invest the same, and the interest on and the sums paid into the fund, 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 Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

Art. VI. The Corporation may at any time apply the whole or any part of any such sinking fund in or towards the discharge of the money for the repayment of which the fund is established : Provided that the Corporation pay into such fund each year, and accumulate until the whole of the money borrowed is



[54 & 55 VICT.] *Local Government Board's Provisional* [Ch. ccxi.]  
*Orders Confirmation (No. 14) Act, 1891.*

discharged, a sum equivalent to the interest which would have been produced by such sinking fund or the part of such sinking fund so applied at the rate per cent. on which the annual payments to the sinking fund are based.

A.D. 1891.

*Stafford*  
*Order.*

(2.)

Art. VII. The Corporation may re-borrow for the purpose of paying off moneys borrowed under this Order, and not paid off by means of any sinking fund set apart for their repayment, or by instalments, or out of the proceeds of the sale or disposition of land; or out of other moneys received on capital account (not being borrowed moneys) : Provided that all moneys so re-borrowed shall be repaid within the prescribed period, and any moneys from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

Art. VIII. The town clerk shall, within twenty-one days after the Twenty-fifth day of March in each year in which any sum is required to be paid as an instalment, or to be set apart for a sinking fund, in pursuance of 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 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, the town 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 in a summary manner under the Public Health Act, 1875, may be recovered by parties aggrieved within the meaning of that Act.

Art. IX. If it appears to the Local Government Board by that return, or otherwise, that the Corporation 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 the High Court.

Art. X. All costs incurred by the Local Government Board, including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the services of any inspector, in relation to the duties imposed on that Board under this Order, shall be paid by the Corporation out of such fund or rate as

[Ch. ccxi.] *Local Government Board's Provisional* [54 & 55 VICT.]  
*Orders Confirmation (No. 14) Act, 1891.*

A.D. 1891. the Local Government Board may direct, and any sum so determined by the Board shall be a debt due to the Crown from the Corporation.

—  
*Stafford*  
*Order.*  
(2.)  
—

Given under the Seal of Office of the Local Government Board, this  
Tenth day of June, One thousand eight hundred and ninety-one.

(L.S.)

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

*West Ham*  
*Order.*  
(2.)  
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BOROUGH OF WEST HAM.

*Provisional Order to enable the Urban Sanitary Authority for the  
Borough of West Ham to put in force the Compulsory Clauses  
of the Lands Clauses Acts.*

To the Mayor, Aldermen, and Burgesses of the Borough of West Ham,  
being the Urban Sanitary Authority for that Borough;—  
And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of West Ham, as the Urban Sanitary Authority for that Borough, require to purchase and take the lands described in the Schedule hereto for the following purposes; viz,—

- (1.) The lands mentioned in Part I. of the said Schedule for the purpose of widening Balaam Street;
- (2.) The lands mentioned in Part II. of the said Schedule for the purpose of widening Broadway and High Street;
- (3.) The lands mentioned in Part III. of the said Schedule for the purpose of widening Prince Regent's Lane:

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 said Urban Sanitary Authority, from and after the date of the Act of Parliament confirming this Order, to put in force, with reference to the lands described in the Schedule hereto, subject to the continuance of any existing public rights of highway, and for the purposes aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

28 & 29 Vict.  
c. 55.



[54 & 55 VICT.] *Local Government Board's Provisional* [Ch. ccxi.]  
*Orders Confirmation (No. 14) Act, 1891.*

The SCHEDULE above referred to.

Borough of WEST HAM.

A.D. 1891.

*West Ham*  
*Order.*  
 (2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
PART I.				
1	Strip of private roadway.	John Groves - - - -	- - - -	John Groves.
2	Triangular piece of land enclosed with fence.	ditto - - - -	- - - -	ditto.
3	Sheds, workshops, gateway, and strip of yard.	George Vincent - - - -	- - - -	George Vincent, Edwin Chalkley, and Frederick Henry Russell.
4	Strip of forecourt -	ditto - - - -	- - - -	George Vincent.
5	Stabling, gateway, strip of garden, entrance-hall, and premises.	Alfred Kennedy - - - -	- - - -	Alfred Kennedy.
6	Plot of ground and fence.	Elias Keys.	—	—
7	Dwelling-house, forecourt, garden, outbuildings, and premises.	ditto - - - -	- - - -	Alfred Masterton.
8	ditto - - - -	ditto - - - -	- - - -	Edward Tietjen.
9	Shop, dwelling-house, gateway, garden, outbuildings, and premises.	Henry Edridge - - - -	- - - -	George Brecht.
10	Shop, dwelling-house, garden, outbuildings, and premises.	ditto - - - -	- - - -	Dennis O'Sullivan.
11	Strip of forecourt -	ditto - - - -	- - - -	Mary Ann Low.
12	ditto - - - -	John George Lane - - - -	- - - -	James Colville.
13	ditto - - - -	John Breeson - - - -	- - - -	William Barrie Somerville.
14	ditto - - - -	ditto - - - -	- - - -	Charles Daniel Ives.
15	ditto - - - -	William Darlow - - - -	- - - -	Daniel Tidman.
16	ditto - - - -	ditto - - - -	- - - -	Alfred Bowes.
17	ditto - - - -	John Henry Wynne - - - -	- - - -	Joseph Foster.
18	ditto - - - -	ditto - - - -	- - - -	Walter Tait.
19	ditto - - - -	ditto - - - -	- - - -	Charles Edmonds.
20	ditto - - - -	ditto - - - -	- - - -	John Henry Wynne.

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(2.)*

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
21	Dwelling-house, schoolhouse, playground, gateway, garden, outbuildings, and premises.	John Henry Wynne -	Edward Gibbs. James	Edward James Gibbs.
22	Strip of forecourt -	Joshua Burgess Seal	- - -	Joshua Burgess Seal.
23	ditto -	William Samuel Caines	- - -	William Samuel Caines.
24	ditto - -	John Jackson -	- - -	John Jackson.
25	ditto - -	ditto.	—	—
26	Shop, dwelling-house, yard, gateway, outbuildings, and premises.	Louisa Eleanor Webster.	Francis Alexander, Lewis Guest.	Samuel Hall.
PART II.				
27	Shop, dwelling-house, outbuildings, yard, and premises.	The Mayor, Aldermen, and Burgesses of the Borough of West Ham.	Francis Alexander, Lewis Guest.	Joseph Edwards.
28	Gateway, urinal, and yard.	ditto - -	ditto.	—
PART III.				
29	Piece of vacant ground, fence, and gateway.	Robert Foale.	—	—

Given under the Seal of Office of the Local Government Board, this Tenth day of June, One thousand eight hundred and ninety-one.

(L.S.)

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



BOROUGH OF WORTHING.

A.D. 1891.

*Provisional Order for altering a Local Act, and certain Confirming Acts.*

*Worthing Order.*

To the Mayor, Aldermen, and Burgesses of the Borough of Worthing, being the Urban Sanitary Authority for that Borough ; —

To the Guardians of the Poor of the Steyning Union, in the Counties of East Sussex and West Sussex, being the Sanitary Authority for the Rural Sanitary District of that Union ; —

To the Inhabitants of the Parish of Lancing, in the County of West Sussex ; —

And to all others whom it may concern.

WHEREAS under the powers and provisions of a Local Act of Parliament passed in the seventh year of the reign of His late Majesty King George the Fourth, intituled "An Act for making and maintaining a turnpike road from Worthing to Lancing, in the County of Sussex, and groynes, embankments, and other sea defences, for protecting such road and the lands adjoining from the future encroachments of the sea" (herein-after referred to as "the Local Act"), certain trustees were appointed to make and maintain a turnpike road, in that Act called "the Worthing and Lancing Turnpike Road," and they were authorised and required to build, make, repair, and maintain groynes, embankments, tunnels, sluices, and other sea defences, for the protection of such road and of the adjoining lands from encroachments and overflowing of the sea, and to extend such groynes, embankments, and sea defences on the eastward side of such road to the first groyne on the east side of "Shop's Dam," in the Parish of Lancing, in the County of West Sussex ;

And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Eighth day of April, One thousand eight hundred and sixty-nine (herein-after referred to as "the Order of 1869"), it was ordered that the powers of the trustees appointed and acting under the Local Act should cease, and that all the powers which would not be affected by that Order should vest in and be exercised by the Worthing Local Board of Health (herein-after called "the Local Board") as fully and effectually as if the Local Board were trustees appointed under the Local Act ;

And whereas by Article 4 of the Order of 1869 it was declared that the District of the Local Board, for the purposes of the Local Act, should, as to sea defences, extend to the second groyne on the east side of the sluice at Sea Mills

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A.D. 1891. Bridge, the said groyne being about one hundred and twenty yards eastward of  
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the boundary of the District of the Local Board as constituted under the Public  
Health Act, 1848, and so as to include the lands mentioned in Schedule B. to  
the Local Act, for the purpose of levying thereon the rates mentioned in  
Section 32 of the Local Act ;

11 & 12 Vict.  
c. 63.

And whereas by Articles 5 and 6 of the Order of 1869 the Local Board were  
empowered, for the purpose of carrying out the purposes of the Local Act and  
of that Order, to assess, raise, and levy upon the owners of the lands set forth in  
the Schedule to that Order, in addition to all other rates to which the said lands  
were liable, a rate of ten shillings for every acre of the said lands, and so on in  
proportion for any less quantity ; and all the unrepealed provisions of the Local  
Act, with respect to making and levying the rates authorised by Section 32  
above mentioned, were applied and extended to the levying of the rate thereby  
authorised to be assessed, raised, and levied, subject to certain provisions in the  
Order of 1869 contained ;

And whereas by Article 8 of the Order of 1869 the Local Board were  
empowered to defray out of the general district rates of their District any  
charges and expenses incurred for the purposes of the Order of 1869, and in  
erecting, repairing, or maintaining any groynes, embankments, and other sea  
defences for protecting and defending any part of their District from encroach-  
ments of or injury by the sea ;

And whereas the Order of 1869 was duly confirmed by the Local Government  
Supplemental Act, 1869 (herein-after referred to as "the Confirming Act of  
1869"), and by Section 5 of that Act it was enacted that so much of the said  
turnpike road as was included in the District of the Local Board should be a  
street within the meaning of the second section of the Public Health Act, 1848,  
anything in that Act to the contrary notwithstanding, and that the portion of the  
said turnpike road lying to the eastward of the said District should, from the  
passing of the Confirming Act of 1869, cease to be a turnpike road, and should  
thenceforth be a public highway repairable by the inhabitants of the Parish  
within which the same is situate ;

32 & 33 Vict.  
c. cxxiv.

And whereas by a Provisional Order of the Local Government Board dated  
the Nineteenth day of June, One thousand eight hundred and seventy-six, and  
confirmed by the Local Government Board's Provisional Orders Confirmation  
(Bath, &c.) Act, 1876 (which Order and Act are herein-after respectively  
referred to as "the Order of 1876" and "the Confirming Act of 1876"),  
Article 4 of the Order of 1869 was altered so as to provide that the District of  
the Local Board, for the purposes of the Local Act and the Order of 1869,  
should, as to sea defences, extend to a point one thousand feet eastward of the  
eastern boundary of the said District for sea defences, as defined by the Order  
of 1869, and that the provisions of the Local Act, and of the Order of 1869  
should be applicable to the extended limits thereby defined ;

39 & 40 Vict.  
c. cci.

And whereas by Royal Charter dated the Twenty-fifth day of August, One  
thousand eight hundred and ninety, the District comprising the Local Government  
District of Worthing and the Parish of Heene was created a Municipal Borough  
by the name of the "Borough of Worthing" (herein-after referred to as "the  
Borough") ; and the inhabitants of the District aforesaid and their successors



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were thereby declared to be one body politic and corporate, by the name of "The Mayor, Aldermen, and Burgesses of the Borough of Worthing" with perpetual succession and a common seal, and the said Corporation, acting by the Council (herein-after referred to as the "Corporation"), are now the Urban Sanitary Authority for the Borough, and the rights, powers, duties, liabilities, and obligations of the Local Board under the recited Acts and Orders (so far as the same still exist) are now vested in the Corporation ;

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And whereas the Local Board constructed and maintained, and since the incorporation of the Borough the Corporation have maintained, sea defences in the area added to the District of the Local Board by the Order of 1876 for the purposes of sea defences, but the sea has encroached on the lands lying to the eastward of the said sea defences, and has destroyed a portion of the said road, and the Corporation have applied to the Local Government Board to issue a Provisional Order to partially repeal, alter, and amend the Local Act and the Confirming Acts of 1869 and 1876, so as to provide for the reconstruction and future maintenance of the said road, and the erection and maintenance of further sea defence works outside the said Borough and within the said Parish of Lancing ;

And whereas it is proposed that the cost of the reconstruction of the said road and the erection of the said intended sea defence works should be borne partly by the Corporation and partly in manner herein-after provided ;

And whereas the owner of the lands coloured blue on the maps sealed with the official seal of the Local Government Board and deposited in their office, in the office of the Corporation, and with the Overseers of the Poor of the Parish of Lancing, has expended considerable sums in sea defence works, in front of portions of those lands, and it has been agreed that he shall extend those works westwards to the point marked C. on the said maps from the point where they at present terminate, so as to form a continuation of the works to be executed by the Corporation ;

And whereas it has been arranged that if, after the completion of such works by the owner of the lands coloured blue on the said maps, those works and the said sea defence works already executed by him are not properly repaired and maintained, then (subject as herein-after mentioned) the Committee herein-after referred to may repair and maintain the same, and the lands coloured blue on the said maps shall be liable to the rates herein-after mentioned ;

And whereas it has also been arranged that so long only as the lands coloured green on the said maps shall be, or remain, the property of James Martin Carr-Lloyd or his successors in title by settlement, devise, or descent, or any of them, the same shall not be liable to the rates herein-after mentioned :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the following provisions shall take effect; viz.,—

38 & 39 Vict.  
c. 55.

Art. I. So much of the Confirming Act of 1869 as relates to Article 4 of the Order of 1869, and so much of the Confirming Act of 1876 as relates to Article 1

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of the Order of 1876, shall be altered so as to provide that, so far as may be necessary for the purposes of the Local Act, the Order of 1869, the Order of 1876, and this Order, the Corporation shall have and exercise the powers of an Urban Sanitary Authority over such parts of the said Parish of Lancing as are coloured pink, brown, and green on the said maps, which said parts are herein-after referred to as "the included area": Provided always, that if at any time hereafter the owner or owners for the time being of the lands coloured blue on the said maps omits or omit for six calendar months after notice in writing given to him or them by the Committee herein-after referred to, and for such longer period, if any, as may be reasonably required, to adequately repair and maintain the sea defences for the time being existing eastward of the point marked D. on the said maps which front to and adjoin such lands, and the additional defences which are to be and may hereafter be erected between the points C. and D. on the said maps for the protection of such land, so that such lands, or some part thereof, shall be by reason of the want of such repair and maintenance in danger of encroachment from the sea, then and thereupon the said lands shall be, if so directed by the Local Government Board, with the assent of the Corporation, and as from a day to be fixed by the said Board, deemed to be within the included area, and liable to the rates herein-after provided for: Provided also, that if at any time hereafter any dispute, difference, or question shall arise between the owner or owners aforesaid, or any of them, and the Committee, as to whether the owner or owners aforesaid shall have omitted to adequately repair and maintain the said sea defences, or as to what time should be allowed for the repair thereof, or as to whether the said lands, or any of them, are in such danger as aforesaid, then any and every such dispute, difference, or question shall be referred to the arbitration of two persons, one to be appointed by each party to the reference, and the provisions of the Arbitration Act, 1889, or any statutory modification or re-enactment thereof for the time being in force, shall apply to such arbitration as far as applicable.

52 & 53 Vict.  
c. 49.

Art. II. The owners for the time being of the part of the included area coloured brown may elect, in manner herein provided, three persons as members of the Committee herein-after referred to.

Art. III. The three persons to be elected shall have the qualification prescribed by the law in force for the time being with regard to the election of members of a Local Board constituted under the Public Health Act, 1875, and for the purpose of such qualification they shall be deemed to be elected for a district conterminous with the lands coloured brown on the said maps.

Art. IV. If the lands coloured blue on the said maps shall come within the included area within the meaning of the first proviso to Article I. of this Order, then the owner or owners for the time being of such lands shall, as from the date of such inclusion, be entitled to vote in every election under Article II. of this Order; and for the purpose of the qualification mentioned in Article III. of this Order the three persons to be elected as aforesaid shall, as from the date of such inclusion as aforesaid, be deemed to be elected for a district conterminous with the lands coloured brown and blue on the said maps.

Art. V. For the purposes of such elections the Mayor, or, failing him, the Deputy-Mayor, of the Borough, or if the Mayor and Deputy-Mayor be unable or



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unwilling to act, or their offices be vacant, such person as the Local Government Board shall, by Order, appoint, shall be the returning officer. A.D. 1891.

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c. 55.

Art. VI. Subject as is in this Order provided, such elections shall be conducted in accordance with the rules contained in Schedule II. to the Public Health Act, 1875, and the Corporation shall cause a register of the owners entitled to vote at such elections to be kept as provided by Rule 19 of that Schedule, and Rule 31 shall apply to the first of such elections as if it were the first election of a Local Board constituted after the passing of the Public Health Act, 1875, and the members elected at such first election shall come into office on the day on which the first meeting of the Council shall be held after the returning officer shall have made his certificate of election in accordance with Rule 42 or Rule 52, as the case may require, of the said Schedule, and such members shall continue in office until the day herein-after fixed for their retirement: Provided that the returning officer shall give notice of the said first election, in accordance with Rule 36 of the said Schedule, within twenty-one days after the commencement of this Order, and shall specify in such notice the dates on which the several proceedings necessary to complete such election shall be taken.

Art. VII. The three members to be first elected under this Order shall continue in office until the first Monday in the month of August, One thousand eight hundred and ninety-four, and shall be eligible for re-election, and on the first Monday in the month of August in every subsequent third year their successors shall go out of office, but any person so going out of office shall be eligible for re-election; and immediately preceding such triennial first Monday in the month of August three persons shall be elected in manner provided by the said Schedule II. to the Public Health Act, 1875, and this Order, to supply the vacancies caused by such retirement.

Art. VIII. Any casual vacancy in the places of the said three members which may occur shall be filled up by the remaining members or member so elected as aforesaid out of qualified persons as soon as practicable.

Art. IX. The Corporation shall forthwith, after the election of such three members, and thenceforth annually at the meeting of the Council next before the anniversary of the commencement of this Order, appoint four members of their body who shall go out of office on the day their successors are appointed (but shall be eligible for re-election) to act with the three persons so elected as aforesaid, and the seven persons so elected and appointed shall form the Committee, herein-after referred to as "the Committee."

Art. X. A plan and specification of the works necessary for the restoration or reconstruction of the said road and of the sea defences, comprising the erection of three groynes by the Corporation between the points marked A. and B. on the said maps, the erection of three groynes by the Corporation between the points marked B. and C. on the said maps, and the erection of two groynes by the owner or owners of the lands coloured blue on the said maps between the points C. and D. thereon, and all such embankments, tunnels, sluices, and other works as may be deemed necessary for the protection of the foreshore between the points A. and D. on the said maps, shall be prepared immediately after the commencement of this Order by the Corporation, and shall be submitted to



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the approval of the Committee and the owner or owners of the lands coloured blue on the said maps, and if such plan and specification are approved by the Committee and owner or owners, the works to be executed shall be carried out in accordance therewith, and as to the works between the points A. and C., the same shall be constructed under one contract, and at one time and continuously by one contractor; and the execution of the whole of the works between the points A. and D. and their maintenance shall be under the superintendence of a person to be from time to time agreed on by the Committee, the Corporation, and the owner or owners of the lands coloured blue on the said maps, and plans of all future sea defences shall be submitted for approval, and the works shall be carried out and maintained in the like manner: Provided always, that all such works shall be made, executed, and maintained as part of one defensive scheme with the works to be executed to the eastward thereof, and so as not to damage or imperil the same. In the event of any difference of opinion arising between the Committee and the Corporation, or between those bodies or either of them, and the said owner or owners, or any or either of them, as to the said works or the maintenance thereof, or the superintendence thereof, the same shall be referred to the determination of the Local Government Board, whose decision shall be final.

Art. XI. The Corporation shall restore and reconstruct at the expense of the district fund of the Borough, and from voluntary contributions (including the sum of one hundred pounds contributed by Lord Leconfield), on or adjacent to its former site, the said road where the same has been destroyed by the encroachments of the sea: And shall, at the expense of the said district fund, make and execute, and, if necessary, reconstruct, all such groynes, embankments, tunnels, sluices, and other sea defences between the points marked A. and B. on the said maps, as may be necessary to protect the area coloured green and pink on the said maps from encroachment or injury by the sea. The sea defences constructed by the Corporation shall be repaired and maintained by them.

Art. XII. On the said road being restored and reconstructed as by this Order provided, the same shall, as to so much thereof as is not included in the Borough, be deemed to be a public highway, repairable by the inhabitants of the Parish within which the same is situate.

Art. XIII. The Corporation for the purposes of this Order shall be entitled to take any quantity of land not exceeding one acre from and out of the lands coloured green on the said maps adjoining or near to the site of that part of the said road authorised by this Order to be restored or reconstructed.

Art. XIV. The Corporation shall make and execute the original works between the points marked B. and C. on the said maps referred to in Article X. of this Order. As between the Corporation and the Committee such works shall be paid for out of voluntary subscriptions received by the Committee for such purpose (to which the Corporation shall, out of the district fund of the Borough, contribute the sum of one hundred pounds). The Corporation shall be responsible for the due execution of such works, but shall not be bound to construct them until the subscriptions aforesaid shall be sufficient in amount to enable them to carry out the same, and until such is the case no part of the works to be erected under Article X. of this Order between the points A. and C. on the said maps



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shall be commenced: Provided always, that if such works shall be commenced, they shall be forthwith carried out and completed by the Corporation. The sea defences and other works constructed between the said points marked B. and C. shall be repaired and maintained, and, if necessary, reconstructed, by the Committee out of moneys to be raised by rates in manner herein-after appearing.

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Art. XV. The owner of the lands coloured blue on the said maps shall extend his sea defence works from the point marked D. westward to the point marked C. on the said maps, so as to form a continuation of the works to be executed as provided by Article XIV. of this Order: Provided always, that nothing in this Order contained shall prejudice or affect any right or power of the said owner, or the trustees of any settlement to which the said lands may be subject, to apply in or towards such works any moneys or funds which would have been so applicable if this Order had not been made or confirmed, or any right or power of the Chancery Division of the High Court to order such application.

If the lands coloured blue on the said maps shall come within the included area within the meaning of the first proviso to Article I. of this Order, the sea defences constructed, or to be constructed, eastward of the point marked C. on the said maps shall be repaired and maintained by the Committee.

Art. XVI.—(1.) The expenses of repairing and maintaining, as distinguished from reconstructing, the sea defences to be constructed by the Corporation under Article XI. of this Order shall, wholly or in part, be raised by a rate or rates as herein-after mentioned, to be paid by the owners of the lands coloured green and pink on the said maps, and the deficiency, if any, shall be paid by the Corporation out of the district fund of the Borough, provided that the lands coloured green shall be exempt from such expenses so long only as they shall remain the property of the said James Martin Carr-Lloyd or his successors in title by settlement, devise, or descent, or any of them.

(2.) The expenses of repairing and maintaining (which shall include the cost of future reconstruction) the sea defences to be constructed under Article XIV. of this Order shall be borne by the owners of the lands coloured brown on the said maps, and shall be raised as herein-after mentioned.

Art. XVII.—(1.) For the purpose of defraying the expenses which, according to subdivision (1) of Article XVI. of this Order, are to be paid by the owners of the lands coloured pink and green, or pink only, on the said maps, as the case may be, the Corporation shall from time to time, as occasion may require, make, by writing under their common seal, a rate or rates, to be called Lancing Sea Defences Rates, on the lands coloured pink and green on the said maps, and on the buildings situated thereon, subject to the proviso in subdivision (1) of Article XVI. of this Order: Provided always, that such rate or rates shall not in any year exceed the aggregate rate in the pound of the rate or rates in the same year levied under the provisions of this Order on the lands coloured brown on the said maps in respect of repair and maintenance.

(2.) For the purpose of defraying the expenses which, according to subdivision (2) of Article XVI. of this Order, are to be paid by the owners of the lands coloured brown on the said maps the Corporation shall from time to time, as occasion may require, in like manner make a rate or rates, also to be called Lancing Sea Defences Rates, on the lands coloured brown on the said maps, and on the buildings situated thereon.



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Art. XVIII. If the lands coloured blue on the said maps shall come within the included area within the meaning of the first proviso to Article I. of this Order, the expenses incurred in repairing and maintaining the works eastward of the point marked C. on the said maps (including a fair proportion of the additional establishment expenses which will devolve on the Corporation) shall be borne by the owner or owners of the lands coloured blue on the said maps, and for the purpose of defraying such expenses, the Corporation shall from time to time, as occasion may require, make, by writing under their common seal, a rate or rates, to be called Lancing Special Sea Defences Rates, on the lands coloured blue on the said maps, and on the buildings situated thereon.

Art. XIX. Payments to be made in respect of expenses incurred under this Order for works between the points B. and C. and eastward of the point C. on the said maps, if the Committee repair and maintain the works to the eastward of the said point C., shall be made by the Corporation on certificates signed by the Committee or any three of them; and such certificates shall distinguish capital expenditure from such expenditure as is properly payable out of revenue, and expenditure in respect of reconstruction from expenditure in respect of repair and maintenance, and shall show whether the expenditure has been incurred in respect of works between the points marked B. and C., or to the eastward of the point marked C., on the said maps; and if any question shall arise as to whether any expenditure is in respect of reconstruction or of repair and maintenance, the same shall be referred to the determination of the Local Government Board, whose decision shall be final.

38 & 39 Vict.  
c. 55. |

Art. XX. The expenses of the Corporation under this Order not otherwise defrayed shall be defrayed by them out of the district fund as if the same were expenses incurred in the execution of the Public Health Act, 1875. The Corporation shall keep separate accounts for the purposes of this Order with and as part of their other accounts under the Public Health Act, 1875, and all such accounts shall be audited in the same manner and with the same incidents and consequences as the other accounts of the Corporation. Such accounts shall show separately and in detail the expenditure incurred in respect of the works between the points marked A. and B., between the points marked B. and C., and to the eastward of the point marked C., on the said maps.

Art. XXI. For the purpose of making, assessing, and levying the rates mentioned in Articles XVII. and XVIII. of this Order, the Corporation shall have all the powers they possess with regard to the making, assessing, levying, and recovering general district rates within the Borough: Provided always, that Section 211 of the Public Health Act, 1875, from and including the words "subject to the following exceptions" in sub-section (1) of that section to the end of that section, shall not apply to any such rate: Provided further that, when any such rate is paid by an occupier, he may deduct the same from his rent in the same manner as income tax may be deducted.

Art. XXII. The Corporation may, with the sanction of the Local Government Board, borrow on mortgage, on the security of the district fund and general district rates of the Borough, such sums, not exceeding the sum of two thousand pounds, as may be requisite for the purposes of constructing the works to be carried out by them under Article XI. of this Order; and may also, with



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the sanction of the Committee and of the Local Government Board, borrow on mortgage, on the security of the Lancing Sea Defences Rate or Rates to be levied on the lands coloured brown on the said maps, such sums, not exceeding the sum of one thousand two hundred pounds, as may from time to time be required for the reconstruction of works authorised by this Order between the points marked B. and C. on the said maps.

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Art. XXIII. 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 Corporation, 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 Local Loans Act, 1875. 38 & 39 Vict.  
c. 83.

Art. XXIV. Moneys raised under the powers of this Order shall be repaid within such periods, not exceeding fifty years from the respective dates of borrowing thereof, as the Local Government Board may approve, which respective periods shall be deemed to be the prescribed period within the meaning of the Local Loans Act, 1875, and are herein-after referred to as "the prescribed period." 38 & 39 Vict.  
c. 83.

Art. XXV. The Corporation shall repay moneys to be borrowed under the powers conferred by this Order, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund or sinking funds 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 moneys so borrowed within the prescribed period, and shall invest such sinking funds or sinking fund, and the income thereof, in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities lawfully issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

Art. XXVI. The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which such fund is established: Provided that the Corporation pay into such fund each year, and accumulate until the whole of the money in respect of which such fund is set aside 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, at the rate per cent. on which the annual payments to the sinking fund are calculated.

Art. XXVII. The Corporation may re-borrow for the purpose of paying off moneys borrowed under the powers of this Order, and not paid off by instalments or by means of any sinking fund set apart for their repayment, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account, not being borrowed moneys: Provided that all moneys so re-borrowed shall be repaid within the prescribed period; and any moneys from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the

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Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

Art. XXVIII. All moneys borrowed by the Corporation under this Order shall be applied only to purposes for which moneys are by this Order authorised to be borrowed, and to which capital is properly applicable. All moneys received by the Corporation towards or in respect of the repayment of any loan shall be applied by them to that and to no other purpose. All sums received by the Corporation from rates on the lands coloured pink and green on the said maps shall be applied for the purpose of repairing and maintaining the works between the points A. and B. on the said maps. All sums received from rates on the lands coloured brown on the said maps shall be applied for the purposes of works between the points marked B. and C. on the said maps, and to the repayment of moneys borrowed on the security of those rates and to the payment of interest thereon; and all sums received from rates on the lands coloured blue on the said maps shall be applied for the purposes of works to the east of the point marked C. on the said maps.

Art. XXIX. The town clerk 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 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 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 town 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.

Art. XXX. If it appears to the Local Government Board by that return, or otherwise, that the Corporation 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 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 the High Court.

Art. XXXI. All costs incurred by the Local Government Board, including such reasonable sum, not exceeding three guineas a day, as that Board may determine



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for the services of any inspector, in relation to the duties imposed on that Board under this Order, shall be paid by the Corporation or the Committee out of such fund or rate as the Local Government Board may direct, and any sum so determined by the Board shall be a debt due to the Crown from the Corporation or the Committee, as the case may be.

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*Worthing*  
*Order.*  
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Art. XXXII. The Corporation and the Committee respectively shall, for the purpose of this Order, be at liberty to take, enter upon, and use any part of the beach or foreshore in the Borough, or between the points marked A. and C. on the said maps, and, subject as aforesaid, no sand, shingle, or stones shall be removed from the said beach or foreshore so as to endanger the works by this Order authorised: Provided that nothing herein contained shall authorise the Corporation or the Committee to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or 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 of the estates, rights, privileges, powers, or authorities vested in, or enjoyed, or exerciseable by the Queen's Majesty, Her heirs or successors: Provided also, that nothing herein contained shall operate so as to enable the Corporation or Committee to take, enter upon, or use any part of the beach or foreshore in the Parish of Lancing, except for the construction and maintenance of the works authorised by this Order, nor shall this Order operate to take away or abridge such right, title, or interest (if any) as the said James Martin Carr-Lloyd and his successors in title may have in, to, or over the beach or foreshore within the limits affected by this Order: Provided always that such rights shall not be exercised so as to endanger the aforesaid works: Provided further, that nothing herein contained shall be held to recognise or confirm any right, title, or claim of the said James Martin Carr-Lloyd, it being the intention of this Order that the right and title to such foreshore shall remain in the same state as if this Order had not been made.

Art. XXXIII. The Corporation or the Committee 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 Corporation or the Committee shall not at any time alter or extend the same without obtaining, previously to making any such alteration or extension, the like consent or approval. 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 Corporation or of the Committee, as the case may be, and the amount of such costs and charges shall be a debt due from the Corporation or the Committee,

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A.D. 1891. as the case may be, to the Crown, and shall be recoverable accordingly with costs.

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*Worthing*  
*Order.*  
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Given under the Seal of Office of the Local Government Board, this  
Fifth day of June, One thousand eight hundred and ninety-one.

(L.S.)

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

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