

[60 & 61 VICT.] *Local Government Board* [Ch. lxxxvi.]
(Ireland) *Provisional Order Confirmation (No. 7) Act, 1897.*



CHAPTER lxxxvi.

An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to Belfast. A.D. 1897.
[15th July 1897.]

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto under the Public Health (Ireland) Act 1878:

41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Order set out in the schedule hereto is hereby confirmed and all the provisions thereof shall have full validity and force. Order in schedule confirmed.
2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 7) Act 1897. Short title.

A.D. 1897.

S C H E D U L E.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Belfast.

CITY OF BELFAST.

PROVISIONAL ORDER.

*Confirming an Improvement Scheme under the Housing of the
Working Classes Act 1890 Part I.*

53 & 54 Vict.
c. 70.

WHEREAS an official representation for the purposes of Part I. of the Housing of the Working Classes Act 1890 has been made to the Lord Mayor Aldermen and Citizens of Belfast (herein-after called the Corporation) that the houses in James's Court off Carrick Hill in the said city are by reason of their bad condition and their want of proper conveniences dangerous to the health of the inhabitants and that the evils connected with such houses cannot be remedied otherwise than by an improvement scheme for the re-arrangement and reconstruction of the houses therein :

And whereas the Corporation have taken the said representation into their consideration and being satisfied of the truth thereof and of the sufficiency of their resources have passed a resolution that the said area is an unhealthy area and that an improvement scheme ought to be made in respect thereof :

And whereas the Corporation being of opinion that the inclusion of certain neighbouring lands and premises is necessary for making the scheme efficient for sanitary purposes have included the said lands and premises in the scheme and have provided by the scheme for widening the existing approach to the area for the purposes of ventilation and health and have made the following scheme for the improvement of the area included in the scheme :

THE BELFAST IMPROVEMENT SCHEME 1897 (UNDER THE HOUSING OF
THE WORKING CLASSES ACT 1890).

1. For the improvement of the unhealthy area known as James's Court delineated and indicated on the plan prepared by the city surveyor and coloured pink.

[60 & 61 VICT.] *Local Government Board* [Ch. lxxxvi.]
(Ireland) *Provisional Order Confirmation (No. 7) Act, 1897.*

2. To make the scheme efficient for sanitary purposes it will be necessary to widen the existing approach and to make a new approach to the unhealthy area. A.D. 1897.
Belfast.

3. And for that purpose to include the lands and buildings delineated and indicated on the said plan and coloured blue.

4. The scheme includes the making of a new street from Trinity Street to Carrick Hill on the lines and to the levels shown on the said plan and section with such deviations and alterations of level stopping up and widening or diversion of James's Court or otherwise as are shown on the said plan or as may hereafter be determined by the Lord Mayor Aldermen and Citizens of the City (herein-after referred to as the Corporation) to be necessary or proper and the sewerage draining and paving of such street.

5. The ground not required for the new street would be let for the erection of buildings.

6. For the purpose of carrying the scheme into execution the Corporation would be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands and premises delineated and indicated on the said plan prepared by the city surveyor and coloured pink and blue therein.

7. The Corporation shall not in the execution of the scheme without the consent of the Local Government Board purchase or acquire ten or more houses which after the passing of the Act of Parliament confirming the Order have been or on the fifteenth day of December one thousand eight hundred and ninety-six were occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers unless and until—

(1.) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December one thousand eight hundred and ninety-six or for such number of persons as the Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case and until they shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any such scheme may be given either absolutely or conditionally and after

[Ch. lxxxvi.] *Local Government Board* [60 & 61 VICT.]
(Ireland) *Provisional Order Confirmation (No. 7) Act, 1897.*

A.D. 1897.

Belfast.

the Local Government Board have approved of any such scheme they may approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every such scheme shall contain provisions prescribing the time within which it shall be carried out and shall require the new buildings proposed to be provided under the scheme to be completed and fit for occupation before the persons residing in the houses in respect to which the scheme is made are displaced provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions if any as they may deem fit.

(4.) Any provisions of any such scheme and any conditions subject to which the Local Government Board may have approved of any such scheme or of any modifications thereof or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the Corporation acquire or appropriate any house for the purpose of the scheme in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom provided that the Court may if it think fit reduce the said penalty.

(6.) Subject to the provisions of the scheme the local authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connection with any scheme all or any of the powers vested in them under the Public Health (Ireland) Act 1878 in the same manner in every respect as if the preparation and carrying into effect of such scheme was one of the general purposes of that Act Provided that all lands on which any buildings shall have been erected or provided by the Corporation in pursuance of any scheme under the order shall for a period of twenty-five years from the passing of the Act of Parliament confirming the order be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this provision :

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this clause subject to such conditions if any as they may deem fit.

41 & 42 Vict.
c. 52.

[60 & 61 VICT.] *Local Government Board* [Ch. lxxxvi.]
(Ireland) Provisional Order Confirmation (No. 7) Act, 1897.

The estimated cost of the scheme is:—

A.D. 1897.
Belfast.

	£	s.	d.
For land and buildings - - - - -	4,000	0	0
Making sewerage draining and paving the street - - - - -	500	0	0
Add for incidental expenses and contingencies - - - - -	500	0	0
Gross total - - - - -	5,000	0	0
Less estimated value of building ground and capitalised ground rents to be received thereout - - - - -	1,500	0	0
Net cost - - - - -	£3,500	0	0

(Seal)

SAMUEL BLACK
Town Clerk.

And whereas the plans mentioned in the said improvement scheme with a book of reference have been deposited in the office of the Local Government Board for Ireland (herein-after called the Local Government Board) in Dublin and are herein-after referred to as the deposited plans and book of reference:

And whereas the Corporation have presented a petition to the Local Government Board praying that an Order may be made confirming the said scheme:

And whereas on consideration of the said petition and on proof of the service of the proper notices and publication of the proper advertisements the Local Government Board have caused a local inquiry to be held with respect to the said scheme and a report has been made of the result thereof:

Now we the Local Government Board in exercise of the power given to us by and subject to the provisions of the Housing of the Working Classes Act 1890 do hereby order as follows:—

53 & 54 Vict.
c. 70.

1. We confirm the said scheme and we declare that the limits of the area comprised in the scheme are the boundaries of the lands and area comprised in the scheme and the deposited plans and book of reference and we authorise the scheme to be carried into execution.
2. For the purpose of carrying the scheme into execution the Corporation shall be empowered to put in force the powers of the Lands Clauses Acts as amended by the Second Schedule of the Housing of the Working Classes Act 1890 with respect to the purchase and taking of land otherwise than by agreement.
3. The expression "The Local Government Board" in the seventh clause of the scheme confirmed by this Order means the Local Government Board for Ireland and in every case in which the Corporation shall apply to the said Board for their approval of a scheme for providing

Confirmation
of improve-
ment scheme.

Compulsory
powers to take
lands and other
premises.

53 & 54 Vict.
c. 70.

Provision with
respect to
houses
occupied by
persons of the
labouring class.

[Ch. lxxxvi.] *Local Government Board* [60 & 61 VICT.]
(Ireland) *Provisional Order Confirmation (No. 7) Act, 1897.*

A.D. 1897.

Belfast.

new dwellings in pursuance of the said seventh clause the Corporation shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Order (whether provisional or other) made in pursuance of the said seventh clause and of any expenses incurred by that Board in relation to any inquiries with reference to such Order including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

For the purposes of the seventh clause of the scheme confirmed by this Order the expression "labouring class" shall include 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 families 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.

Given under our hands and seal of office this twelfth day of May
in the year of our Lord one thousand eight hundred and
ninety-seven.

(Signed) F. MACCABE.
 H. A. ROBINSON.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY PIOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and
90, WEST NILE STREET, GLASGOW; or
HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.