



# Public Health Act 1875

## 1875 CHAPTER 55

### PART VIII

#### ALTERATION OF AREAS AND UNION OF DISTRICTS.

##### *Union of Districts.*

#### **279 Formation of united district.**

Where, on the application of the local authorities of any urban or rural, districts, or of any of such authorities, it appears to the Local Government Board that it would be for the advantage of such districts, or any of them, or any parts thereof, or of any contributory places in any rural district or districts, to be formed into a united district for all or any of the purposes following ; (that is to say,)

- (1) The procuring a common supply of water ; or
  - (2) The making a main sewer or carrying into effect a system of sewerage for the use of all such districts or contributory places ; or
  - (3) For any other purposes of this Act ;
- the Local Government Board may by provisional order form such districts or contributory places into a united district.

All costs charges and expenses of and incidental to the formation of a united district shall, in the event of the united district being formed, be a first charge on the rates leviable in the united district in pursuance of this Act.

#### **280 Governing body of united district.**

The governing body of a united district shall be a joint board consisting of such ex-officio members and of such number of elective members as the Local Government Board may by the provisional order forming the district determine.

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*Status: This is the original version (as it was originally enacted).*

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A joint board shall be a body corporate by such name as may be determined by the provisional order, having a perpetual succession and a common seal, with power to hold lands for the purposes of its constitution, without any license in mortmain.

**281 Contents of provisional order forming united district.**

The provisional order forming a united district under this Act shall define the purposes for which such united district is formed, and the powers rights duties capacities liabilities and obligations under this Act which the joint board is authorised to exercise or perform, or is made subject to, and shall contain regulations as to the qualification and mode of election of elective members of the joint board, as to their continuance in office, as to casual vacancies in the joint board, as to their meetings and officers, and any other matter or thing, including the adjustment, of present and future liabilities and property with respect to which the Local Government Board may think fit to make any regulations for the better carrying into effect the provisions of this Act with respect to united districts.

Upon the constitution of a joint board the local authorities having jurisdiction in the component districts or contributory places shall cease to exercise therein any powers, or to perform any duties, or to be subject to any liabilities or obligations, which the joint board is authorised to exercise or perform or is made subject to ; nevertheless, the joint board may delegate to the local authority of any component district the exercise of any of its powers or the performance of any of its duties.

**282 Meetings and proceedings of joint boards.**

Meetings of any joint board shall be held and the proceedings thereat shall be conducted (so far as such meetings and proceedings are not regulated by the order forming the joint board) in accordance with the rules as to meetings and proceedings contained in Schedule 1 to this Act.

**283 Expenses of joint board.**

Any expenses incurred by a joint board in pursuance of this Act, unless otherwise determined by the provisional order, shall be defrayed out of a common fund, to be contributed by the component districts or contributory places in proportion to the rateable value of the property in each district or contributory place, such value to be ascertained according to the valuation list in force for the time being.

**284 Payment of contributions to joint board.**

For the purpose of obtaining payment from component districts of the sums to be contributed by them, the joint board shall issue their precept to the local authority of each component district, stating the sum to be contributed by such authority, and requiring such authority, within a time limited by the precept, to pay the sums therein mentioned to the joint board, or to such person as the joint board may direct;

Any sum mentioned in a precept addressed by a joint board to a local authority as aforesaid shall be a debt due from that authority, and may be recovered accordingly, such contribution in the case of a rural authority being deemed to be general expenses.

If any local authority makes default in complying with the precept addressed to it, the joint board may, instead of instituting proceedings for the recovery of a debt, or in addition to such proceedings as to any part of a debt which may for the time being be unpaid, proceed in a summary manner as in this Act mentioned to raise within the district of the defaulting authority such sum as may be sufficient to pay the sum due.

For the purpose of obtaining payment from contributory places of the sums to be contributed by them, the joint board shall have the same powers of issuing precepts and of recovering the amounts named therein as if such contributory places formed a rural district, and the joint board were the authority thereof.

**285 Power to execute works in adjoining districts, and to combine for execution of works.**

Any local authority may, with the consent of the local authority of any adjoining district, execute and do in such adjoining district all or any of such works and things as they may execute and do within their own district, and on such terms as to payment or otherwise as may be agreed on between them and the local authority of the adjoining district ; moreover two or more local authorities may combine together for the purpose of executing and maintaining any works that may be for the benefit of their respective districts or any part thereof. All moneys which any local authority may agree to contribute for defraying expenses incurred under this section shall be deemed to be expenses incurred by them in the execution of works within their district.

**286 Districts may be united for appointing a medical officer of health.**

Where it appears to the Local Government Board, on any representation made to it, that the appointment of a medical officer of health for two more districts situated wholly or partially in the same county would diminish expense, or otherwise be for the advantage of such districts, the Local Government Board may by order unite such districts for the purpose of appointing a medical officer of health, and may make regulations as to the mode of his appointment and removal by representatives of the authorities of the constituent districts, and as to the meetings from time to time of such representatives, and the proportion in which the expenses of the appointment and of the salary and expenses of such officer are to be borne by such authorities, and as to any other matters (including the necessary expenses of such representatives) which, in the opinion of the said Board, require regulation for the purposes of this section ; and no other medical officer of health shall be appointed for any constituent district, except as an assistant to the officer appointed for the united districts :

Provided that no urban district containing a population of twenty-five thousand and upwards, or (in the case of a borough) having a separate court of quarter sessions, shall be included in any union of districts formed under this section without the consent of the local authority of such district or borough.

Not less than twenty-eight days notice that it is proposed to make an order under this section shall be given by the Local Government Board to the local authority of any district proposed to be included in the union, and if within twenty-one days after such notice has been given to any such authority they give notice to the Local Government Board that they object to the proposal, the Local Government Board may include their district in the union by a provisional order but not otherwise.

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There may be assigned by the Local Government Board to the district medical officer of any union comprising or coincident with any constituent district such duties in rendering local assistance to the medical officer of health appointed for the united districts as the said Board may think fit ; and such district medical officer shall receive, in respect of any duties so assigned to him, such additional remuneration to be paid by the local authority or authorities of the district or districts within which his duties under this section are performed as those authorities may, with the approval of the Local Government Board, determine.