CHAPTER xliii.

An Act to confirm a Provisional Order of the Board of Agriculture relating to the Regulation of certain Commons in the borough of Luton in the county of Bedford. [3rd July 1894.]

A.D. 1894.

WHEREAS the Board of Agriculture did in pursuance of the Inclosure Acts, 1845–1882, issue, in the year one thousand eight hundred and ninety-three, the Provisional Order of Regulation set forth in the schedule hereto, and in a special report certified that it was expedient that the same should be confirmed by Parliament:

8 & 9 Vict. c. 118., &c.

And whereas a Committee of the House of Commons, to which the same Provisional Order was referred, recommended that the same ought to be confirmed by Parliament without modification:

And whereas the said Regulation cannot be proceeded with without the previous authority of Parliament:

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

Order in schedule confirmed.

1. The Provisional Order of Regulation set forth in the schedule to this Act is hereby confirmed.

Short title.

2. This Act may be cited as the Commons Regulation (Luton) Provisional Order Confirmation Act, 1894.

A.D. 1894.

SCHEDULE.

PROVISIONAL ORDER OF REGULATION.

WHEREAS persons interested in certain lands, called or known as The Moor, Pope's Meadow, and Bell Close, situate in the borough of Luton, in the county of Bedford, such lands being a common within the meaning of the Inclosure Acts, 1845 to 1882, and herein-after collectively referred to as "the common," have made application to the Board of Agriculture to issue a Provisional Order for the regulation of the common, and to certify that it is expedient that such Provisional Order should be confirmed by Parliament:

And whereas it has been made to appear to the said Board that the persons making the said application represent at least one third in value of such interests in the common as are proposed to be affected by the Provisional Order:

And whereas the said Board, having taken the said application into consideration, were satisfied that a primâ facie case had been made out, and that, regard being had to the benefit of the neighbourhood, as well as to private interests, it was expedient to proceed further in the matter, and accordingly ordered a local inquiry to be held by an Assistant Commissioner:

And whereas the said Assistant Commissioner, having caused public notice to be given, as required by the said Acts, held, pursuant to the said notice, public meetings at the Town Hall, Luton, on the 5th and 6th days of June 1893, at the respective hours of 11 in the morning and 7 in the evening, to hear all persons desirous of being heard on the subject-matter of the said application, and any information or evidence which might be offered in relation thereto, and inquired into the correctness of the statements in the said application, and otherwise into the expediency of making the Provisional Order applied for, and into the nature of the provisions to be inserted in such Provisional Order:

And whereas the said Assistant Commissioner inspected the common, as required by the said Acts:

And whereas the said Assistant Commissioner duly reported in writing to the said Board the result of the local inquiry, and of the public meetings held by him, together with the information obtained by him as to the several particulars in the said application, and all other information required by the said Acts, and annexed to his report a sketch map of the common, a copy of which map is deposited in the office of the said Board:

And whereas the Corporation of the borough of Luton, as the urban sanitary authority of the said borough to which the common is suburban within the meaning of the said Acts, have, with the sanction of the said Board, entered into an undertaking to contribute out of their funds such sums as may from time to time be necessary for the maintenance of the common:

A.D. 1894

Now, therefore, the Board of Agriculture, in pursuance of the powers given to them by the Board of Agriculture Act, 1889, and the said Acts, and being satisfied that, having regard to the benefit of the neighbourhood, as well as to private interests, the regulation of the common is desirable, have framed, for the consideration of the persons interested, this Draft Provisional Order, specifying the provisions for the benefit of the neighbourhood and the improvement of the common which are to be put in force, and the terms and conditions on which, provided the necessary consents are given thereto, they are prepared to certify that it is expedient the Provisional Order should be confirmed by Parliament (that is to say):—

Provisions for benefit of neighbourhood.

That there be reserved to the inhabitants of Luton and the neighbourhood a right of free access to the common, and a privilege of playing cricket and other games and enjoying reasonable recreation thereon, subject to such bye-laws as may from time to time be made by the said Corporation.

Provisions for future management.

That, in consideration of the said Corporation, as such Urban Sanitary Authority as aforesaid, having undertaken to contribute out of their funds such sums as may from time to time be necessary for the maintenance of the common, the general management of the common be vested in the said Corporation, who shall have power for the improvement of the common to drain, manure, level, fence, plant, or in any other way improve or add to the beauty of the common, and to make bye-laws and regulations for the prevention of, and protection from, nuisances, and for keeping order upon the common, including the regulation of the exercise of lawful rights of common subsisting over or on the common.

Provisions to be inserted in award.

That, for the purposes of giving complete effect to this Provisional Order, there shall be inserted in the award to be made in pursuance of the said Acts such provisions, not inconsistent with such Acts, as the said Board shall think desirable and proper.

In witness whereof the Board of Agriculture have hereunto set their official seal this thirteenth day of December one thousand eight hundred and ninety-three.

JACOB WILSON. (L.S.)
Authorised by the President.

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