CHAPTER clv.

An Act to divide the district of the Local Board of Health of Edmonton in the county of Middlesex and for other purposes. [18th July 1881.]

A.D. 1881.

WHEREAS the parish of Edmonton in the county of Middlesex is the district of a local board of health:

And whereas it is expedient that that part of the said parish which is set forth in the schedule to this Act should be severed from the jurisdiction of the said local board and constituted the district of a separate local board and that such provisions as are herein-after contained in that behalf should be enacted with reference to the apportionment of the property debts and liabilities of the local board:

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title.

1. This Act may be cited as the Edmonton Local Board (Division of District) Act 1881.

Interpretation of terms.

2. In this Act—

"The Edmonton Local Board" means the local board of health for the district of Edmonton:

"The Southgate Local Board" means the Southgate Local Board by this Act constituted:

"The new district" means the district of the Southgate Local Board:

"The reduced district" means the district of the Edmonton Local Board as reduced in area by this Act:

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

A.D. 1881.

Number of Southgate Local Board.

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

Mode of election of Southgate Local Board. 38 & 39 Vict. c. 55.

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

Persons to elect the Southgate Local Board.

5. The persons entitled to elect the Southgate Local Board shall be the persons who under the Public Health Acts would be entitled to elect a local board for that part of the parish of Edmonton which is described in the schedule to this Act if such part were at the passing of this Act the district of a local board.

Southgate Local Board to administer Public Health Acts in the new district.

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

Constitution of the new district.

7. On and after the twenty-ninth day of September or on and after such other day as the Local Government Board on the application of the Southgate Local Board shall in that behalf appoint the said part of the parish of Edmonton which is described in the schedule to this Act shall be by virtue of this Act severed from the jurisdiction of the Edmonton Local Board and shall constitute the district of the Southgate Local Board and the Southgate Local Board shall thereupon have and may exercise and enjoy within the part so severed all the rights powers exemptions privileges and authorities and shall be subject to all the provisions and shall perform all the duties which by law attach to a local board constituted under the Public Health Acts.

Reduced district to be district of Edmonton Local Board.

8. The remaining portion of the parish of Edmonton shall constitute the district of the Edmonton Local Board as though such portion had been assigned thereto by the order constituting the same and is in this Act called "the reduced district" and the following members of the Edmonton Local Board that is to say Richard Crawford, Samuel Lobb and Walker Henry Bates if then in office and any person who may have been appointed in the place of any of the said persons shall cease to hold office as members of the Edmonton Local Board and thereupon and thereafter the Edmonton Local Board shall consist only of nine members and one-third of such members shall retire on the fifteenth day of April in every year and the order in which the nine members in office on the said twenty-ninth day of September shall go out of office shall be regulated by the Edmonton Local Board.

Apportionment of property &c. by Local Government Board.

9. With respect to the apportionment of the property (including lands sewage farm mains sewers rights and easements) debts and liabilities of the Edmonton Local Board the following provisions shall so soon as may be after the passing of this Act have effect (that is to say) :—

1. The Local Government Board shall on the application of the Edmonton Local Board or of the Southgate Local Board or of any twenty owners or ratepayers resident in the new district apportion such property debts and liabilities in such manner as they deem equitable in accordance with their determination on the following questions which they shall determine accordingly :—

   (*a.*) Whether the whole or part and if part only then what part of such property shall be retained by the Edmonton Local Board and if so on what terms and conditions and whether any and if so what part shall become the property of the Southgate Local Board and if so on what terms and conditions ;

   (*b.*) The payments to be made by the Southgate Local Board for the main sewers and outfall sewers of the Edmonton Local Board now constructed and laid down in the new district ;

   (*c.*) The terms and conditions as to payment or otherwise to be observed by the Southgate Local Board in respect of the communication of the main sewers and outfall sewers in the new district with the main sewers and outfall sewers in the reduced district and the maintenance of such communication by the Edmonton Local Board and in respect of the dealing with treating

A.D. 1881.

and disposing of by the Edmonton Local Board at their sewage farm (including a contribution towards the management of that farm) all the sewage passing through the main and outfall sewers of the Edmonton Local Board and coming from the district of the Southgate Local Board Provided always that the sewage of other districts or places shall not be permitted by the Southgate Local Board to pass into their sewers so as to be discharged into the sewers of the Edmonton Local Board without their consent;

(*d.*) The portions of the debts and liabilities of the Edmonton Local Board (including any allowance in respect of works or other expenditure for sanitary or other purposes) which shall be a charge exclusively on the new district or the reduced district;

(*e.*) Whether any and if any what amount of contribution is to be made by the Southgate Local Board towards the maintenance of the portion of the main road from London to Hertford now charged upon the parish of Edmonton under the Turnpike Trusts Continuance Act 1871;

34 & 35 Vict. c. 115.

(*f.*) Whether any and if any what apportionment between the Edmonton Local Board and the Southgate Local Board shall be made of the proceeds of any rates made by the Edmonton Local Board between the twenty-fifth day of March one thousand eight hundred and eighty-one and the date of the constitution of the new district:

2. Upon the publication of the award of the Local Government Board the property thereby apportioned to the Edmonton Local Board and Southgate Local Board respectively shall by virtue of this Act vest in such one of the said bodies to whom the same is so apportioned upon the terms and conditions and for the estate and interest declared by such award:

3. Upon the publication of the said award the debts and liabilities of the Edmonton Local Board shall become and be debts and liabilities of the Edmonton Local Board and of the Southgate Local Board in the proportion determined by the award and all liability of the Edmonton Local Board for the proportion assigned to the Southgate Local Board and of the Southgate Local Board for the proportion assigned to the Edmonton Local Board shall thereupon cease and determine:

4. Until the publication of the said award the Edmonton Local Board shall continue the passage treatment and disposal of the sewage of the new district as at present.

5. Every such apportionment shall be made after such notice and inquiry as the Local Government Board think fit and shall be conclusive and binding on all parties:

6. Any dispute from time to time arising under this Act or in relation thereto between the Southgate Local Board and the Edmonton Local Board shall be decided solely and exclusively by the Local Government Board:

7. All expenses incurred by the Local Government Board under this section shall be paid by the Edmonton Local Board and the Southgate Local Board in such proportion as the Local Government Board shall direct:

These powers shall be in addition to and not in derogation of the powers now exercisable by law by the Local Government Board and the Local Government Board may make all orders which they may deem needful to carry out this section which shall be binding on all parties and enforceable in like manner as orders under the Public Health Acts Provided that nothing in this section shall prevent the Southgate Local Board and the Edmonton Local Board agreeing as to all or any of the matters in this section contained within six weeks after the twenty-ninth day of September next and any agreement which may be so made shall have the same operation and effect as an award on the same matter would have had if it had been made and published under this section on the day of the date of such agreement.

Southgate Local Board to repair the boundary roads.

10. The Southgate Local Board shall repair the boundary roads between the new district and the reduced district.

Expenses of cleansing &c. certain watercourses.

11. All expenses to be incurred from time to time in the cleansing repairing or otherwise placing and maintaining in a due state of efficiency any watercourse or outfall for water jointly used for the two districts or any wall bank dam or other defence against water or the doing any other act for the purpose of maintaining in a due state of efficiency any work required to be so maintained for the conservancy of streams and protection of land within the district of the Edmonton Local Board from injury by floods or in the deepening widening straightening embanking extending or otherwise improving any watercourse or outfall for water or the removing any dam weir or other obstruction to any watercourse or joint outfall for water or the raising widening or otherwise altering any wall bank dam or defence against water or the doing of any other act for the purpose of improving any work required to be improved for any of the

A.D. 1881.

purposes of the conservancy of streams and the protection of land within the district of the Edmonton Local Board from injury by floods shall be paid by the two districts in such proportions as may be agreed upon between the Edmonton Local Board and the Southgate Local Board or in default of agreement as may be determined by the Local Government Board.

Compensation to officers of Edmonton Local Board.

12. The provisions of section three hundred and nine of the Public Health Act 1875 as to compensation to officers shall be deemed to apply to all officers of the Edmonton Local Board in the employ of that board at the time of the passing of this Act and any such compensation shall be payable by the Southgate Local Board and the Edmonton Local Board in such proportions as may be agreed upon between the said boards or as failing such agreement may be determined by the Local Government Board.

Debts and legal proceedings.

13. Subject to the provisions of this Act all moneys due to or by the Edmonton Local Board immediately before the twenty-ninth day of September one thousand eight hundred and eighty-one shall notwithstanding the passing of this Act be paid to or by or may be recovered by or against the Edmonton Local Board and all legal proceedings by or against the Edmonton Local Board pending on the twenty-ninth day of September or taken thereafter in respect of any matter arising before the said day may be continued and prosecuted in like manner in every respect as though this Act had not passed.

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

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

Continuance of byelaws &c. of Edmonton Local Board in reduced district.

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

Continuance of byelaws &c. of Edmonton

16. All orders byelaws and notices of the Edmonton Local Board shall continue in force in the new district until the same

respectively shall be revoked annulled repealed altered or varied by the Southgate Local Board or other competent authority.

Local Board in new district.

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

Expenses of Act.

A.D. 1881.

The SCHEDULE referred to in the foregoing Act.

LIMITS OF DISTRICT OF THE SOUTHGATE LOCAL BOARD.

That portion of the parish of Edmonton in the county of Middlesex which lies west of the following boundary line (that is to say):—A line commencing at the point where the centre line of the road leading from the southern lodge of Chase Park to Winchmore Hill cuts the northern boundary line of the district of the Edmonton Local Board and thence proceeding in a southerly direction along the centre line of that road to the point where it joins the centre line of the road leading from Enfield to Winchmore Hill and thence along the centre line of that road to the southern side of the road leading from opposite the end of the Old Green Dragon Lane to the gardens of Bush Hill House and thence along the said side of the said road to the western side of the New River and thence southerly along the western side of the New River to the point where it passes under Firs Lane and thence along the centre line of that lane to the centre of the eastern end of Hedge Lane thence along the centre line of Hedge Lane to the centre of the northern end of Blind Lane and thence along the centre line of Blind Lane to the junction therewith of the centre line of Tile Kiln Lane and thence in a straight line due south to the southern boundary line of the district of the Edmonton Local Board and there terminating.

LONDON: Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1881.