CHAPTER cxxvii.

An Act to confirm a Provisional Order of the Local Government Board relating to the Haslingden, Rawtenstall, and Bacup Outfall Sewerage District. A.D. 1894.

[20th July 1894.]

WHEREAS the Local Government Board have made the Provisional Order 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 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 shall be and the same 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's Provisional Order Confirmation (No. 19) Act, 1894. Short title.

A.D. 1894.

SCHEDULE.

Haslingden, Rawtenstall, and Bacup Order.

HASLINGDEN, RAWTENSTALL, AND BACUP OUTFALL SEWERAGE DISTRICT.

Provisional Order for altering a Confirming Act.

To the Haslingden and Rawtenstall Outfall Sewerage Board;—

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

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

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

And to all others whom it may concern.

WHEREAS by a Provisional Order of the Local Government Board dated the Twentieth day of May, One thousand eight hundred and ninety, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act, 1890 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Local Government Districts of Haslingden and Rawtenstall were formed into a United District (herein-after referred to as "the United District"), called the Haslingden and Rawtenstall Outfall Sewerage District, for the purpose of making and maintaining a system of outfall sewerage, and otherwise carrying into effect a system of sewage disposal for the Constituent Districts;

53 & 54 Vict. c. lxxxv.

And whereas by Article III. of the Order it was ordered that the Joint Board, which should be the governing body of the United District, should consist of two ex-officio and ten elective members, and should be called the Haslingden and Rawtenstall Outfall Sewerage Board (herein-after referred to as "the Joint Board");

And whereas by Article IV. of the Order it was ordered that the ex-officio members should be the persons described in column 3 of the Schedule thereto, and that the elective members should be elected by the said Urban Sanitary Authorities (therein referred to as "the Constituent Authorities");

And whereas by Article V. of the Order it was ordered that the number of members of the Joint Board to be elected by each of the Constituent Authorities should be that set opposite to the name of each of such Authorities in column 4 of the said Schedule, and that the said members should be chosen by the members of each of the Constituent Authorities from among the members of its own body;

And whereas by Article XI. of the Order it was (inter alia) provided that four members of the Joint Board should constitute a quorum;

And whereas by Article XIII. of the Order the purposes for which the United District was formed were defined, and it was provided that it should be the duty

of the Joint Board to carry out and perform the purposes for which the United District was formed within three years from the date of the Confirming Act, and that, in default of their so doing, they should be deemed to be a local authority which had made default in providing their District with sufficient sewers, within the meaning of Section 299 of the Public Health Act, 1875 ;

And whereas by Article XV. of the Order it was provided that the expenses incurred by the Joint Board in carrying out the purposes for which the United District was formed, including all establishment charges, remuneration to treasurer, clerk, officers, and servants, should be defrayed out of a common fund, to be contributed by the Constituent Districts respectively, in manner provided by Section 283 of the Public Health Act, 1875 ;

And whereas since the formation of the United District each of the said Local Government Districts has been created a Borough ;

And whereas it is expedient that the Urban Sanitary District of Bacup should be included in the United District, and that the provisions herein-after contained should be made in connexion therewith :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 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 Confirming Act, so far as it relates to the Order, shall be altered so that the following provisions shall take effect; viz.,— 38 & 39 Vict. c. 55.

Art. I. This Order shall, except so far as is otherwise herein expressly provided to the contrary, come into operation on the day of the meeting of the Joint Board held next after the first election of members thereof to represent the Urban Sanitary District of Bacup as herein-after provided.

Art. II. The United District shall be extended so as to include the Urban Sanitary District of Bacup, and throughout the Order and this Order reference to the Constituent Districts shall be deemed to include the Urban Sanitary District of Bacup, and reference to the Constituent Authorities shall be deemed to include the Urban Sanitary Authority for the Borough of Bacup.

Art. III. The name of the United District shall be altered, and shall be the Haslingden, Rawtenstall, and Bacup Outfall Sewerage District, and the name of the Joint Board shall be altered, and shall be the Haslingden, Rawtenstall, and Bacup Outfall Sewerage Board.

Art. IV. The number of ex-officio members of the Joint Board shall be increased from two to three, and the number of elective members shall be increased from ten to fifteen, and the Schedule to this Order shall be substituted for the Schedule to the Order, and the reference in Articles IV. and V. of the Order to the Schedule thereto shall be deemed to apply to the Schedule to this Order.

Art. V.—(1.) The Urban Sanitary Authority for the Borough of Bacup shall, within four weeks from the date of the Act of Parliament confirming this Order, elect five persons from among its own members to be their representatives on the Joint Board, and such five persons, and the ex-officio representative of that Authority, shall come into office as members of the Joint Board on the day of such election.

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(2.) The town clerk of the Borough of Bacup shall forthwith after such election notify in writing to the clerk to the Joint Board the names, addresses, and occupations of the persons so elected.

Art. VI. The following provision shall be substituted for Article VI. of the Order; viz.,—

"The provisions of Section 12 of the Municipal Corporations Act, 1882, "shall, mutatis mutandis, apply to members of the Joint Board."

45 & 46 Vict. c. 50.

Art. VII.—(1.) The first paragraph of Article XI. of the Order shall be altered by the insertion of the words "six members" in lieu of the words "four members."

(2.) Article XI. of the Order shall be altered by the addition thereto of the following paragraph:—

"The Joint Board may from time to time appoint committees consisting "of members of the Joint Board for the exercise of any powers which, in "the opinion of the Joint Board, can be properly exercised by committees, "but the acts of every such committee shall, unless otherwise directed by "the Joint Board, be submitted to the Joint Board for approval: Provided "that a committee so appointed shall in no case be authorised to borrow "money or to issue any precept for contributions or to enter into any "contract, and it shall be subject to the provisions of Part IV. of the "First Schedule to the Local Government Act, 1894, so far as they are "applicable."

(3.) Article XIV. of the Order shall be altered by the omission of all reference to Sections 200, 203, and 204 of the Public Health Act, 1875.

Art. VIII. Article XIII. of the Order shall be altered so that it shall be deemed to have been and to be the duty of the Joint Board to carry out and perform the purposes for which the United District is formed within a period of six years from the date of the Confirming Act.

Art. IX. The Urban Sanitary Authority for the Borough of Bacup shall pay into the common fund of the Joint Board, in addition to the payments to be made by them under Article XV. of the Order in respect of the future expenditure of the Joint Board, such a sum as will represent the amount which they would have contributed to the common fund if they had originally been a constituent authority, in respect of the expenditure incurred by the Joint Board prior to the date when this Order shall come into operation, and the sums so paid into the common fund shall be applied in reduction of the future payments to be made thereto by the Urban Sanitary Authorities for the Boroughs of Haslingden and Rawtenstall.

Art. X.—(1.) The twelve members of the Joint Board representing the Boroughs of Bacup and Rawtenstall shall constitute a committee of the Joint Board which shall have power to construct and maintain a joint sewer from the point in the Thrutch where the boundary between the Boroughs of Bacup and Rawtenstall crosses the Bacup and Haslingden main road to the main sewer in the Borough of Haslingden at Ewood Bridge in order to carry the sewage of those Boroughs to the outfall works of the Joint Board.

(2.) The Mayor of the Borough of Rawtenstall for the time being shall be the chairman of the said committee; but in his absence from any meeting the committee shall choose a chairman.

(3.) The quorum, proceedings, and place of meeting of the said committee shall be such as the committee direct, and the chairman at any meeting of the said committee shall have a second or casting vote, but the acts of the said committee shall not require the approval of the Joint Board.

(4.) The Joint Board shall, at the request of the said committee, enter into and enforce all such contracts as may in the opinion of the committee be necessary or convenient for executing the powers and carrying into effect the purposes of the committee, and shall, on the like request, borrow, under and in accordance with the provisions of the Public Health Act, 1875, any moneys which the said committee may require to defray capital expenditure from time to time sanctioned by the Local Government Board.

(5.)—(*a.*) The expenses of and incidental to the construction by the said committee of the said main sewer, including the interest on, and payment of, any moneys borrowed by the Joint Board on behalf of the said committee, shall be charged and apportioned between the Boroughs of Bacup and Rawtenstall in the following proportions, viz., the Borough of Bacup five-twelfths, and the Borough of Rawtenstall seven-twelfths.

(*b.*) All other expenses incurred by the said committee, including the expenses of and incidental to the maintenance of the said main sewer, shall be charged and apportioned between the Boroughs of Bacup and Rawtenstall in proportion to the rateable value of the property in each Borough, such value to be ascertained according to the valuation list in force for the time being.

(*c.*) For the purpose of raising the money necessary to defray the expenses incurred by the said committee the Joint Board shall, at the request of the said committee, include in the precepts which they may from time to time issue to the Urban Sanitary Authorities for the Boroughs of Bacup and Rawtenstall in respect of their contributions to the common fund of the Joint Board the amount of the expenses of the committee so apportioned as aforesaid, and the sums so raised, after deduction of the amount necessary to defray the payments of principal and interest in respect of moneys so borrowed as aforesaid, shall be placed to the account of the said committee with the treasurer of the Joint Board:

Provided that all sums due in respect of any contract entered into by the Joint Board on behalf of the said committee shall, unless otherwise agreed between the Joint Board and the said committee, be paid by the committee to the person entitled thereto within one month after the receipt by the said committee of moneys from the Joint Board, or within one month after the payment becomes due, as the case may be, and in default the Joint Board shall be at liberty to pay the same and deduct the amount from the next payment due to the said committee.

(6.) Article XX. of the Order shall apply to any difference between the Joint Board and the said committee, as well as to any difference between the Boroughs represented on the said committee.

Art. XI. This Order may be cited as the Haslingden, Rawtenstall, and Bacup Outfall Sewerage Order, 1894.

A.D. 1894.

Haslingden, Rawtenstall, and Bacup Order.

The SCHEDULE above referred to.

Urban Sanitary Districts.

1.	2.	3.		4.
Name of District.	Name of Sanitary Authority.	Ex-officio Members.		Elective Members.
		Number.	Description.	Number.
The Borough of Bacup	The Mayor, Aldermen, and Burgesses of the Borough of Bacup, acting by the Council.	1	The Mayor	5
The Borough of Haslingden.	The Mayor, Aldermen, and Burgesses of the Borough of Haslingden, acting by the Council.	1	ditto	5
The Borough of Rawtenstall.	The Mayor, Aldermen, and Burgesses of the Borough of Rawtenstall, acting by the Council.	1	ditto	5

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

(L.S.)

G. Shaw-Lefevre, President.
Hugh Owen, Secretary.

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