CHAPTER cxxviii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Dawlish Gosforth Hyde Margate and Newport (Mon.). A.D. 1912.

[7th August 1912.]

WHEREAS the Local Government Board have made the Provisional Orders 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 Orders should be confirmed by Parliament:

Be it therefore enacted by the King'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 Orders as altered and set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1912. Short title.

[*Price* 1*s.*]

A.D. 1912.

SCHEDULE.

URBAN DISTRICT OF DAWLISH.

Dawlish Order.

Provisional Order to enable the Urban District Council of Dawlish to put in force the Compulsory Clauses of the Lands Clauses Acts.

To the Urban District Council of Dawlish;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Dawlish (herein-after referred to as "the Council") require to purchase and take the lands described in the schedule hereto for the purposes of their water undertaking and to enable them to protect the sources of their water supply from pollution or contamination:

38 & 39 Vict. c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 176 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 following provisions shall have effect that is to say:—

Compulsory powers of purchase.

Art. I. The Council shall be empowered to put in force with reference to the lands described in the schedule hereto subject to the continuance of existing public rights of highway (if any) and for the purposes aforesaid the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement or any of them.

For protection of owner of Mamhead Estate.

Art. II. For the protection of Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet or other the owner for the time being of the Mamhead Estate situate in the parishes of Kenton Mamhead Ashcombe and Chudleigh in the County of Devon (in this section called "the owner") the following provisions shall (unless otherwise

agreed between the Council and the owner) have effect that is to say :—

(1) The Council shall not sink or construct any well adit or other underground work for intercepting underground water upon any part of the lands described in the schedule hereto within one mile and a quarter from Mamhead House unless such well adit or other work be hereafter authorised by Act of Parliament or Provisional Order confirmed by Parliament :

(2) The Council shall not erect on any part of the said lands any house or building other than such as may be required for or in connexion with their water undertaking including the housing of any person employed by them in connexion with such undertaking :

(3) The Council shall not use any barbed wire for fencing any part of the said lands from the adjoining lands of the owner :

(4) Nothing in this Order shall alter or affect the rights or obligations of either the owner or the Council under or by virtue of an indenture dated the 30th day of August 1883 and made between Thomas Newman Hunt of the first part Sir Lydston Newman of the second part and the Dawlish Local Board of the third part.

Art. III. This Order may be cited as the Dawlish Order 1912. Short title.

A.D. 1912.

Dawlish Order.

The SCHEDULE above referred to.

County of DEVON.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	PARISHES OF KENTON MAMHEAD AND ASHCOMBE.			
1	Gorse land The Thorns containing 97A. 3R. 38P. or thereabouts.	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.	- - -	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.
	PARISH OF KENTON.			
2	Gorse land containing 25A. 2R. 14P. or thereabouts.	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.	- - -	Ditto.
3	Plantation The Thorns containing 2A. 3R. 36P. or thereabouts.	Ditto - -	- - -	Ditto.
4	Gorse land The Thorns containing 23A. 0R. 33P. or thereabouts.	Ditto - -	- - -	Ditto.
5	Gorse land containing 32A. 3R. 25P. or thereabouts.	Ditto - -	William Grills Maunder.	William Grills Maunder.
6	Plantation containing 8A. 2R. 20P. or thereabouts.	Ditto - -	- - -	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.
	PARISHES OF KENTON AND ASHCOMBE.			
7	Gorse land containing 22A. 1R. 29P. or thereabouts.	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.	- - -	Ditto.
	PARISH OF KENTON.			
8	Plantation portion of Gilpins' Bottom containing 4A. 3R. 24P. or thereabouts.	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.	- - -	Ditto.
9	Plantation containing 4A. 3R. 7P. or thereabouts.	Ditto - -	- - -	Ditto.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
10	Gorse land The Thorns containing 23A. 2R. 16P. or thereabouts.	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.	William Grills Maunder.	William Grills Maunder.
	Parishes of Kenton and Chudleigh.			
11	Gorse land containing 10A. 3R. 38P. or thereabouts.	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.	William Grills Maunder.	Ditto.
12	Gorse land containing 8A. 2R. 18P. or thereabouts.	Ditto - -	Ditto -	Ditto.
	Parish of Kenton.			
13	Gorse land containing 6A. 2R. 39P. or thereabouts.	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.	William Grills Maunder.	Ditto.
14	Gorse land containing 3A. 2R. 20P. or thereabouts.	Ditto - -	The Council -	The Council.
16	Gorse land containing 3A. 1R. 4P. or thereabouts.	Ditto - -	William Grills Maunder.	William Grills Maunder.
	Parishes of Kenton and Chudleigh.			
17	Gorse land containing 8A. 0R. 9P. or thereabouts.	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.	William Grills Maunder.	Ditto.
	Parish of Kenton.			
18	Cottage and garden (unoccupied) containing 0A. 0R. 38P. or thereabouts.	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.	- - -	Sir Robert Hunt Stapylton Dudley Lydston Newman Baronet.
19	Gorse land containing 17A. 2R. 31P. or thereabouts.	Ditto - -	William Grills Maunder.	William Grills Maunder.
20	Pasture—part of Ashcombe Barton containing 10A. 2R. 39P. or thereabouts.	Ditto - -	Ditto - -	Ditto.

Given under the Seal of Office of the Local Government Board this Eighteenth day of April One thousand nine hundred and twelve.

(L.S.)

John Burns President.
H. C. Monro Secretary.

A.D. 1912.

URBAN DISTRICT OF GOSFORTH.

Gosforth Order.

Provisional Order to enable the Urban District Council of Gosforth to put in force the Compulsory Clauses of the Lands Clauses Acts.

To the Urban District Council of Gosforth;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Gosforth (herein-after referred to as "the Council") require to purchase and take the lands described in the schedule hereto for the purpose of the erection of a refuse destructor and the provision of a store yard for the use of the Council and for providing access to the said lands:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 176 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 following provisions shall have effect that is to say:—

38 & 39 Vict. c. 55.

Compulsory powers of purchase.

Art. I. The Council shall be empowered to put in force with reference to the lands described in the schedule hereto and for the purposes aforesaid the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement or any of them.

Short title.

Art. II. This Order may be cited as the Gosforth Order 1912.

The SCHEDULE above referred to.

Parish of Gosforth in the County of Northumberland.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees and Occupiers.
1	Land containing 1 acre or thereabouts.	George Dunn John Liddell Cuthbert David Giffard Riddell.	The Burradon and Coxlodge Coal Company Limited.
2	A plot or strip of land containing 627 superficial yards or thereabouts or a right of way in or over the same strip of land or part thereof.	Ditto - -	Ditto.
3	A plot or strip of land containing 708 superficial yards or thereabouts or a right of way in or over the same strip of land or part thereof.	Ditto - -	Ditto.
4	A plot or strip of land containing 1,190 superficial yards or thereabouts or a right of way in or over the same strip of land or part thereof.	Ditto	Ditto.
5	A plot or strip of land containing 4,625 superficial yards or thereabouts or a right of way in or over the same strip of land or part thereof.	Ditto - -	Ditto.

Given under the Seal of Office of the Local Government Board this Twenty-first day of March One thousand nine hundred and twelve.

(L.S.)

John Burns President.
H. C. Monro Secretary.

A.D. 1912.

Hyde Order.

BOROUGH OF HYDE.

Provisional Order for partially repealing and altering the Hyde Local Board (Waterworks) Act 1870 *and the Hyde Corporation Act* 1903.

To the Mayor Aldermen and Burgesses of the Borough of Hyde;—

And to all others whom it may concern.

WHEREAS the Borough of Hyde (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban District Council and the local authority within the meaning of the Public Health Act 1875;

33 Vict. c. xvii. 3 Edw. 7. c. cxxiii.

And whereas there are in force in the Borough the unrepealed provisions of the Hyde Local Board (Waterworks) Act 1870 and the Hyde Corporation Act 1903 (each of which Acts is herein-after referred to as the Act of the year in which it was passed and which Acts are herein-after together referred to as "the Local Acts") as altered by the Hyde Order 1895 (herein-after referred to as "the Order of 1895") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1895 and by another Provisional Order duly confirmed by Parliament which does not affect the subject-matter of this Order;

58 & 59 Vict. c. lxxxvii.

And whereas the Corporation as successors of the Hyde Local Board are authorised to supply water within the limits (herein-after referred to as "the limits of supply") defined by Section 24 of the Act of 1870;

And whereas by virtue of Section 29 of the Act of 1870 as altered by Article I. of the Order of 1895 the Corporation at the request of the owner or occupier are required subject to the provisions of that Act to furnish to every occupier of a private dwelling-house or part of a dwelling-house within fifty yards of any main or other water pipe of the Corporation a sufficient supply of water for domestic purposes at a rate per centum per annum not exceeding six pounds and five shillings upon the annual value at which the premises so supplied with water shall be assessed to the poor's rate but it is provided that the Corporation shall not be entitled to receive from any such owner or occupier more than the sum of twelve pounds and ten shillings in any one year for such supply and shall not be obliged to furnish such supply for any less sum than ten shillings in any one year when paid in advance or twelve shillings and sixpence a year when not so paid;

And whereas by Section 35 of the Act of 1870 it is provided that the proportion of the half year's water rents payable to the Corporation from the period at which they contract with any person for the supply of water for domestic purposes until the next half-yearly rent-day (such half-yearly rent-days being the first day of May and the first day of November) shall be paid in advance at the time of the making of the contract and the full water rent for each half year shall from time to time thenceforward become due and be paid in advance on those half-yearly days as they occur;

And whereas by Section 150 of the Act of 1903 the Corporation are empowered to declare by resolution that the water rents shall be due in advance on any date in the months of May or June and November or December so as to make the water rents fall due contemporaneously with the district rate;

And whereas the Corporation have not made the declaration authorised by Section 150 of the Act of 1903 and the general district rate is now made annually in April and is collected in two instalments payable in the months of April and October;

And whereas the Corporation have made application to the Local Government Board for the issue of a Provisional Order to partially repeal alter or amend the Local Acts as altered as aforesaid in the manner herein-after set forth:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 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 Local Acts as altered as aforesaid shall be partially repealed and altered so that the following provisions shall take effect that is to say:—

38 & 39 Vict. c. 55.

Art. I.—(1) Section 150 of the Act of 1903 shall be repealed.

Alteration of dates on which water rents become due.

(2) From and after the Thirty-first day of March One thousand nine hundred and thirteen Section 35 of the Act of 1870 shall apply and have effect as if for the words "the first day of May and the first day of November" there were substituted the words "the first day of April and the first day of October".

(3) Notwithstanding anything in Section 35 of the Act of 1870 the water rents payable in advance on the First day of November One thousand nine hundred and twelve shall be the water rents payable in respect of the period of five calendar months ending the Thirty-first day of March One thousand nine hundred and thirteen.

Power of Local Government Board to fix

Art. II.—(1) The Local Government Board on the application of the Corporation may from time to time fix by order the rates and charges for a supply of water for domestic purposes.

A.D. 1912.

Hyde Order.

rates &c. for a supply of water for domestic use.

(2) The Corporation shall as soon as practicable after an order is made in pursuance of subdivision (1) of this Article cause the order to be published in two successive weeks in one or more local newspapers circulating in the limits of supply and the order shall come into operation on and after the day by the Local Acts as altered by this Order fixed for the payment in advance of water rents which first occurs after the date of the last of the said publications.

Alteration of Act of 1870 on operation of new water rates and charges.

Art. III. On and after the date on which any order made in pursuance of subdivision (1) of Article II. of this Order comes into operation Section 29 of the Act of 1870 as altered as aforesaid shall have effect as if—

(*a*) for the rate of six pounds and five shillings mentioned in that section as altered as aforesaid there were substituted the rates and charges fixed by the order made as aforesaid; and

(*b*) such other modifications were made in the section as so altered as are necessary to render the section applicable to any premises rates or charges specified in the said order.

Power of Local Government Board to direct inquiries.

Art. IV. The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary with reference to the purposes of this Order and the inspectors of the Board shall for the purposes of any inquiry have all such powers as they have for the purposes of inquiries directed by the Board under the Public Health Act 1875.

Expenses of inquiries.

Where the Board cause any such inquiry as aforesaid to be held the costs incurred by the Board in relation to that inquiry (including such reasonable sum not exceeding three guineas a day as the Board may determine for the services of any inspector or officer of the Board engaged in the inquiry) shall be paid by the Corporation and the Board may certify the amount of the costs so incurred and any sum so certified and directed by the Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Short title.

Art. V. This Order may be cited as the Hyde Order 1912 and the Order of 1895 and this Order may be cited together as the Hyde Orders 1895 and 1912.

Given under the Seal of Office of the Local Government Board this Tenth day of April One thousand nine hundred and twelve.

(L.S.)

JOHN BURNS President.
H. C. MONRO Secretary.

BOROUGH OF MARGATE.

Margate Order.

Provisional Order for partially repealing and altering the Margate Extension and Improvement Act 1877 *the Margate Corporation Act* 1900 *the Margate Corporation (Water) Act* 1902 *and the Margate Corporation Act* 1908.

To the Mayor Aldermen and Burgesses of the Borough of Margate; —

And to all others whom it may concern.

WHEREAS the Borough of Margate (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban District Council and the local authority within the meaning of the Public Health Act 1875;

And whereas the unrepealed provisions of the Margate Extension and Improvement Act 1877 the Margate Corporation Act 1900 the Margate Corporation (Water) Act 1902 and the Margate Corporation Act 1908 (which Acts are herein-after collectively referred to as "the Local Acts" and individually as the Act of the year in which it was passed) are in force in the Borough; 40 & 41 Vict. c. ccvii. 63 & 64 Vict. c. ccl. 2 Edw. 7. c. ccxxxiv. 8 Edw. 7. c. lxxxvii.

And whereas by Section 30 in Part III. of the Act of 1900 the Corporation were empowered subject to the provisions of that Act to make and maintain certain works including the works referred to in the said Section as Promenade No. 1 Sea-wall No. 1 Sea-wall No. 2 and Sea-wall No. 3 together with all such footways carriageways approaches roads communications slipways steps sewers drains works and conveniences as may be necessary or convenient which Promenade Sea-walls and other works are herein-after referred to as "the Promenade and Sea-walls";

And whereas by Section 32 of the Act of 1900 and subject as therein mentioned it is provided that if the works authorised by Part III. of that Act are not completed within twelve years from the passing of that Act (herein-after referred to as "the prescribed period") the powers by that Act granted for the making thereof or otherwise in relation thereto shall on the expiration of the prescribed period cease except as to such of them or so much thereof respectively as is then completed;

And whereas the prescribed period will expire on the Sixth day of August One thousand nine hundred and twelve and it is expedient that the period for the completion of the Promenade and Sea-walls be extended;

A.D. 1912.

Margate Order.

And whereas by Section 45 of the Act of 1908 the Corporation are empowered subject to the provisions of that Section to re-borrow for the purpose of paying off moneys borrowed or re-borrowed under the Local Acts;

And whereas the Corporation have made application to the Local Government Board for the issue of a Provisional Order to partially repeal alter or amend the Local Acts in the manner herein-after set forth:

38 & 39 Vict. c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 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 Local Acts shall be partially repealed and altered so that the following provisions shall take effect that is to say:—

Extension of period for completion of promenade and sea-walls.

Art. I. Section 32 of the Act of 1900 shall have effect as if in relation to the Promenade and Sea-walls the period of twenty-four years, from the passing of the Act of 1900 were substituted in that section for the period of twelve years from the passing of that Act.

Power to re-borrow.

Art. II.—(1) The Corporation shall have power—

(*a*) to borrow for the purpose of paying off any moneys previously borrowed under the Local Acts which are intended to be forthwith repaid; or

(*b*) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under the Local Acts and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this Article shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of the original loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this Article.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(*a*) by instalments or annual payments; or

(*b*) by means of a sinking fund; or

(*c*) out of moneys derived from the sale of land; or

(*d*) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

(5) Section 45 of the Act of 1908 shall be repealed. Repeal of re-borrowing provisions.

Art. III. This Order may be cited as the Margate Order 1912. Short title.

Given under the Seal of Office of the Local Government Board this Tenth day of April One thousand nine hundred and twelve.

(L.S.)

John Burns President.
H. C. Monro Secretary.

BOROUGH OF NEWPORT (MONMOUTH).

Newport (Mon.) Order.

Provisional Order to enable the Urban Sanitary Authority for the Borough of Newport (Monmouth) to put in force the Compulsory Clauses of the Lands Clauses Acts.

To the Mayor Aldermen and Burgesses of the Borough of Newport in the County of Monmouth;—

And to all others whom it may concern.

WHEREAS the Mayor Aldermen and Burgesses of the Borough of Newport in the County of Monmouth acting by the Council as the Urban Sanitary Authority for that Borough (herein-after referred to as "the Corporation") require to purchase and take the lands described in the schedule hereto for the purpose of widening opening enlarging or otherwise improving the street called East Usk Road:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 176 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 following provisions shall have effect that is to say:— 38 & 39 Vict. c. 55.

Art. I. The Corporation shall be empowered to put in force with reference to the lands described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement or any of them. Compulsory powers of purchase.

Art. II. This Order may be cited as the Newport (Monmouth) Order 1912. Short title.

A.D. 1912.

Newport (Mon.) Order.

The SCHEDULE above referred to.

County Borough of NEWPORT.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Engineering works and site.	The Trustees of the Estate of Thomas Beynon deceased namely Lydia Beynon Beynon Alice Elizabeth Beynon and John Wyndham Beynon.	The Trustees of the Estate of James Avery deceased namely Mary Anna Avery Frederick Albert Avery and Ernest William Avery.	Henry Richards trading as H. Richards and Company.
2	Yard stables and site.	Ditto - -	Ditto -	The Anglo-American Oil Company Limited Sidney John Joseph Fletcher S. Potter.
3	Stores and site -	Ditto - -	Ditto -	Henry Thomas Nurse.
4	Shop and site -	Ditto - -	Ditto -	Ditto.
5	Ditto - -	Ditto - -	Ditto -	James Nelson and Sons Limited.
6	Ditto - -	Ditto - -	Ditto -	Albert Edgar Booth.
7	Ditto - -	Ditto - -	Ditto -	Albert Charles Edwards.
8	Ditto - -	Ditto - -	Ditto -	Edgar Trace.
9	Telephone post and wires.	Ditto - -	Ditto -	The National Telephone Company Limited.

Given under the Seal of Office of the Local Government Board this Nineteenth day of April One thousand nine hundred and twelve.

(L.S.)

JOHN BURNS President.
H. C. MONRO Secretary.

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