CHAPTER xcix.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Horfield and Teignmouth. [18th July 1881.] A.D. 1881.

WHEREAS the Local Government Board have, as regards the districts herein mentioned, 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, and that the provisions herein contained should be enacted with reference to one of such Orders :

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 :

The Orders in schedule confirmed.

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force.

Special provisions with reference to the Teignmouth Order. 6 & 7 Will. 4. c. lix.

2. Whereas a local Act of Parliament was passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled "An Act for better paving, lighting, watching, and improving the town of Teignmouth, in the county of Devon, and for supplying the inhabitants thereof with water," and such Act was partially repealed and amended by a Provisional Order of the Secretary of State for the Home Department, dated the nineteenth day of July one thousand eight hundred and fifty-nine, and confirmed by the Local Government Supplemental Act, 1859 (No. 2) : 22 & 23 Vict. c. 11.

And whereas by section five of the Local Government Supplemental Act, 1860, (herein-after referred to as "the confirming Act,") the unrepealed parts of the said local Acts were incorporated with the Local Government Act, 1858 : 23 & 24 Vict. c. 44. 21 & 22 Vict. c. 98.

And whereas the said local Act, as partially repealed and amended by the said Provisional Order and the confirming Act, is herein-after

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referred to as "the local Act," and is in force in the local government district of Teignmouth (herein-after referred to as "the local government district"):

And whereas by virtue of the Order relating to the local government district hereby confirmed, the local government district will be extended on the twenty-ninth day of September one thousand eight hundred and eighty-one by the inclusion therein of the area described in the schedule to the said Order (herein-after referred to as "the added area"):

It is hereby enacted that from and after the twenty-ninth day of September one thousand eight hundred and eighty-one the following provisions shall have effect; viz.,

(*a.*) The local Act shall be in force in the added area as fully and effectually for all purposes as it is now in force in the local government district, and whenever in the local Act any reference is made to the area now included in the local government district, such reference shall apply to the added area as well as to the local government district:

(*b.*) The local board of the local government district shall hold all property belonging to them under the local Act for the benefit of the added area as well as for the benefit of the local government district, and shall pay all expenses which under the local Act are or would be payable out of the general district rate of the local government district out of the general district rate leviable by them in the local government district and the added area.

Saving rights of the Crown.

3. Nothing contained in the Provisional Order relating to the local government district of Teignmouth or in this Act shall authorise the Teignmouth local board to take, use, or in any manner interfere with any land or hereditaments, or any rights of whatsoever description, belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, without the consent in writing of the same Commissioners, or one of them, on behalf of Her Majesty, first had and obtained for that purpose (which consent such Commissioners are hereby respectively authorised to give); neither shall anything in the said Provisional Order or in this Act contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors.

Short title.

4. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (Horfield, &c.) Act, 1881.

SCHEDULE.

LOCAL GOVERNMENT DISTRICT OF HORFIELD.

Horfield Order.

Provisional Order for extending the Local Government District of Horfield.

To the Horfield Local Board, being the Sanitary Authority for the Urban Sanitary District of Horfield, in the County of Gloucester; —

To the Guardians of the Poor of the Barton Regis Union, in the said County, being the Sanitary Authority for the Rural Sanitary District of that Union; —

And to all others whom it may concern.

WHEREAS the Local Government District of Horfield, which comprises part of the Parish of Horfield, in the County of Gloucester, is an Urban Sanitary District, of which the Horfield Local Board are the Urban Sanitary Authority;

And whereas that portion of the Rural Sanitary District of the Barton Regis Union, in the said County, which comprises the remainder of the Parish of Horfield, immediately adjoins the Local Government District of Horfield;

And whereas by Section 270 of the Public Health Act, 1875, it is enacted that the Local Government Board may, by Provisional Order, declare the whole or any portion of a Rural Sanitary District immediately adjoining a Local Government District to be included in such last-mentioned District, and that thereupon the included area shall, for the purposes of that Act, be deemed to form part of the District in which it is included by such Order;

And whereas by Section 275 of the Public Health Act, 1875, it is enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes Section 270 above recited, shall specify the day on which such Order shall come into operation (in that Act referred to as the commencement of the Order); and that where any Local Government District is diminished or increased in extent under that part of the Act, the Order shall prescribe the number of members to be elected for the District when altered;

And whereas application having been made to the Local Government Board to issue a Provisional Order to include in the Local Government District of Horfield, the portion of the Parish of Horfield which is included in the Rural Sanitary District of the Barton Regis Union, the Local Government Board directed Local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon:

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Horfield Order.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Declare that, from and after the date when this Order shall come into operation, all that portion of the Rural Sanitary District of the Barton Regis Union which comprises the part of the Parish of Horfield which is described in the Schedule hereto, shall be included in, and shall, for the purposes of the Public Health Act, 1875, be deemed to form part of, the Local Government District of Horfield.

And We do hereby Order as follows, viz.—

Art. I. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and eighty-one.

Art. II. The number of members constituting the Local Board for the Local Government District of Horfield as hereby altered shall, subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, be the same as before the date of this Order.

The SCHEDULE above referred to.

All that portion of the Rural Sanitary District of the Barton Regis Union comprising the part of the Parish of Horfield which lies between the present boundary of the Local Government District of Horfield and an imaginary line commencing at the point where the northern boundary of the said Local Government District crosses the main road leading from Gloucester to Bristol; thence proceeding along the eastern boundary of the said road to a point immediately opposite the northern boundary of the road leading to Westbury-on-Trym; thence across the said main road to, and proceeding along, such northern boundary to a point opposite the western boundary of the road leading from the Common to Golden Hill; thence across the road leading to Westbury-on-Trym to such western boundary, and along the southern boundary of such last-mentioned road to the point where it meets the western boundary of the Parish of Horfield; thence in a southerly direction along such last-mentioned boundary to the point where it meets the south-west corner of the Local Government District of Horfield.

Given under the Seal of Office of the Local Government Board, this Thirteenth day of May, in the year One thousand eight hundred and eighty-one.

J. G. Dodson, President.

(L.S.) Hugh Owen, Junr., Assistant Secretary.

LOCAL GOVERNMENT DISTRICT OF TEIGNMOUTH.

A.D. 1881.

Teignmouth Order.

Provisional Order for extending the Local Government District of Teignmouth and for other purposes.

To the Teignmouth Local Board, being the Sanitary Authority for the Urban Sanitary District of Teignmouth, in the County of Devon ; —

To the Guardians of the Poor of the Newton Abbot Union, in the same County, being the Sanitary Authority for the Rural Sanitary District of that Union ; —

And to all others whom it may concern.

WHEREAS the Local Government District of Teignmouth, in the County of Devon, is an Urban Sanitary District, of which the Teignmouth Local Board are the Urban Sanitary Authority ;

And whereas the portion of the Rural Sanitary District of the Newton Abbot Union, in the same County, which is described in the Schedule hereto, immediately adjoins the Local Government District of Teignmouth ;

And whereas by Section 270 of the Public Health Act, 1875, it is enacted that the Local Government Board may, by Provisional Order, declare the whole or any portion of a Rural Sanitary District immediately adjoining a Local Government District to be included in such last-mentioned District, and that thereupon the included area shall, for the purposes of that Act, be deemed to form part of the District in which it is included by such Order ;

And whereas by Section 275 of the Public Health Act, 1875, it is enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes Section 270 above recited, shall specify the day on which such Order shall come into operation (in that Act referred to as the commencement of the Order) ; that from and after the commencement of the Order all the powers, rights, duties, capacities, liabilities, obligations, and property which under that Act are exerciseable by or attaching to or vested in the Sanitary Authority having, under that Act, jurisdiction in any District or part of a District which is by such Order included in some other District, shall (so far as the same relate to the District or part of a District so included) pass to and vest in the Sanitary Authority of such other District ; and that where any Local Government District is diminished or increased in extent under that part of the Act, the Order shall prescribe the number of members to be elected for the District when altered ;

And whereas application having been made to the Local Government Board to issue a Provisional Order to include in the Local Government District of Teignmouth, part of the Rural Sanitary District of the Newton Abbot Union, the Local Government Board directed Local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon :

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Teignmouth Order.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Declare that, from and after the commencement of this Order, all that portion of the Rural Sanitary District of the Newton Abbot Union which comprises the parts of the Parishes of Saint Nicholas and Stokeinteignhead described in the Schedule hereto, shall be included in, and shall, for the purposes of the Public Health Act, 1875, be deemed to form part of the Local Government District of Teignmouth.

And We do hereby Order as follows; viz.,—

Art. I. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and eighty-one (herein referred to as "the commencement of this Order").

Art. II. The Teignmouth Local Government District as extended by this Order shall, for the purposes of the election of members of the Local Board for such District (herein-after referred to as "the Local Board"), be divided into two Wards, which shall be termed respectively the Teignmouth Ward and the Shaldon Ward.

Art. III. The Teignmouth Ward shall consist of the area which, before the commencement of this Order, formed the Local Government District of Teignmouth; and the Shaldon Ward shall consist of the parts of the Parishes of Saint Nicholas and Stokeinteignhead, which are hereby included in the said Local Government District.

Art. IV. Three persons, who shall have the qualification prescribed by the law in force for the time being with regard to the election of members of a Local Board, shall be elected as members of the Local Board by the persons qualified to vote in the Shaldon Ward.

Art. V. For the purposes of the first election for such last-mentioned Ward the Chairman of the Local Board, or if the Chairman be unable or unwilling to act, or the office of Chairman be vacant, such person as the Local Government Board shall, by their Order, appoint, shall be the Returning Officer.

Such election shall be conducted in accordance with the Rules, excepting Rule 55, contained in Schedule II. to the Public Health Act, 1875, as if it were the first election of a Local Board constituted after the passing of that Act, and the members then elected shall come into office on the day on which the first meeting of the Local Board shall be held after the Returning Officer shall have made his certificate of election in accordance with Rule 42 or Rule 52, as the case may require, of the said Schedule II., and such members shall continue in office until the days herein-after fixed for their retirement.

Provided that the Returning Officer shall publish notice of the said election, in accordance with Rule 36 of the said Schedule II., within fourteen days after the commencement of this Order, and shall specify in such notice the dates on which the several proceedings necessary to complete such election shall be taken.

Art. VI. The three members elected for the Shaldon Ward at the first election shall go out of office in the following order; viz., one to be selected by the Local Board by ballot, on the Fifteenth day of April, one thousand eight

hundred and eighty-three; one of the remaining two, to be selected as aforesaid, on the Fifteenth day of April, one thousand eight hundred and eighty-four; and the remaining one on the Fifteenth day of April, one thousand eight hundred and eighty-five.

Art. VII. Any casual vacancy in the places of the three members representing the Shaldon Ward which may occur prior to the Fifteenth day of April, one thousand eight hundred and eighty-five, shall be filled up like casual vacancies in the places of other members of the Local Board.

Art. VIII. On the day on which the first meeting of the Local Board shall be held after the Returning Officer shall have made his certificate with respect to the first election of the members to be elected to represent the Shaldon Ward as aforesaid, the places of three of the eighteen members, representing the Local Board before the commencement of this Order, shall become vacant, and shall not be filled up, one of such places to be selected by the Local Board by ballot from among the places which would, but for this Order, become vacant on the Fifteenth day of April in each of the years one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, and one thousand eight hundred and eighty-four; and from the day on which the places of such members shall become vacant as last aforesaid, the remaining fifteen members shall represent the Teignmouth Ward.

Art. IX. The number of members constituting the Local Board shall, subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, and of this Order, be eighteen.

The SCHEDULE above referred to.

All those parts of the Parishes of Saint Nicholas and Stokeinteignhead, in the County of Devon, which are comprised within the line colored red, commencing at point A on a plan sealed with the official seal of the Local Government Board and deposited in their office, copies whereof, sealed in like manner, are deposited in the offices of the Teignmouth Local Board and of the Rural Sanitary Authority of the Newton Abbot Union respectively, which is taken to be at low-water mark and east of the targets at the south end of the Ness Cove, in the Parish of Stokeinteignhead; thence proceeding in a westerly direction across the field numbered 1008 on the tithe map of the Parish of Stokeinteignhead to the north-east corner of field numbered 888 on the said map; thence westerly along the northern boundary fence of such last mentioned field and across the turnpike road leading to Torquay and the field numbered 889 on the said map in a straight line to the point B on the boundary line between the Parishes of Saint Nicholas and Stokeinteignhead at the north-east corner of the field numbered 864 on the said map; thence westerly along such boundary line to point C on the east side of the Torquay old turnpike road where such boundary line meets such road; thence southerly along and including such last-named road to the point D; thence crossing such road in a westerly direction to the boundary line between the above mentioned Parishes, at the north-east corner of field numbered 843 on the said map; thence in a westerly direction passing along such last mentioned boundary line to the point E at the north-west corner of the field numbered 202 on the said map; thence

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southerly along the western boundary fence of such last-mentioned field and across Butterfly Lane to the point F on the south side of that lane; thence westerly along and including such last-named lane to point G at its junction with the road leading from Stoke to Ringmore; thence in a northerly direction crossing such road and along the northern boundary fence of the field numbered 630 on the said map to point H on the north-east side of the road commonly known as Daggery or Daggeridge Lane and at the junction of such last-named lane with the road leading from the village of Stoke; thence across Daggery or Daggeridge Lane to the south-west side thereof at point I; thence in a northerly direction along and including such last-named lane to point K; thence northerly along the eastern boundary fence of the field numbered 689 and the southern boundary fence of the field numbered 692 on the said map to the point L on the west side of Daggery or Daggeridge Lane; thence in a northerly direction along and including such lane to point M at the river bank; thence northerly along the boundary line of the Parish of Saint Nicholas to point N taken to be at the centre of the River Teign; thence in an easterly direction along the centre of such river to point O which is taken to be at the Ness at low-water mark; thence in a southerly direction along the line of low-water mark to the starting point.

Given under the Seal of Office of the Local Government Board, this Eleventh day of May, in the year One thousand eight hundred and eighty-one.

(L.S.)

J. G. DODSON, President.
JOHN LAMBERT, Secretary.

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