CHAPTER xxvii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Bradford Burton-upon-Trent Buxton St. Helens and Warrington. A.D. 1916.

[19th July 1916.]

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 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. 1) Act 1916. Short title.

[*Price* 9*d.*]

A.D. 1916.

SCHEDULE.

CITY OF BRADFORD.

Bradford Order.

Provisional Order for altering the Bradford Corporation Act 1910 *and the Bradford Corporation Act* 1913.

To the Lord Mayor Aldermen and Citizens of the City of Bradford; —

And to all others whom it may concern.

WHEREAS the City of Bradford (herein-after referred to as "the City") is an Urban Sanitary District of which the Lord Mayor Aldermen and Citizens acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the unrepealed provisions of the Bradford Corporation Act 1910 (herein-after referred to as "the Act of 1910") and of the Bradford Corporation Act 1913 (herein-after referred to as "the Act of 1913") are in force in the City;

10 Edw. 7 & 1 Geo. 5. c. cxvii.

3 & 4 Geo. 5. c. xcvi.

And whereas by Section 53 of the Act of 1910 it is provided that on and after the First day of August One thousand nine hundred and eleven the provisions therein set forth shall be in force within the City with respect to the prevention of smoke and the emission of grit or gritty particles from chimneys and by subsection (8) of the said Section it is provided that the provisions of the said Section shall cease to be operative at the expiration of a period of five years from the First day of August One thousand nine hundred and eleven unless extended by Parliament;

And whereas by Sections 72 and 73 of the Act of 1913 the provisions of Section 53 of the Act of 1910 are amended and extended as therein mentioned;

And whereas the Corporation have applied to the Local Government Board for the issue of a Provisional Order to alter or amend the Act of 1910 and the Act of 1913 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

38 & 39 Vict. c. 55.

A.D. 1916.

Bradford Order.

Act of 1910 and the Act of 1913 shall be altered so that the following provisions shall take effect namely:—

Art. I. The provisions of Section 53 of the Act of 1910 as amended and extended by Sections 72 and 73 of the Act of 1913 shall have effect as if the words "ten years" were inserted in sub-section (8) of the said Section 53 instead of the words "five years." Extension of time for operation of Section 53 of Act of 1910.

Art. II. This Order may be cited as the Bradford Order 1916. Short title.

Given under the Seal of office of the Local Government Board this Eighteenth day of February One thousand nine hundred and sixteen.

(L.S.) WALTER H. LONG President.
H. C. MONRO Secretary.

BOROUGH OF BURTON-UPON-TRENT.

Provisional Order for partially repealing and altering the Burton-upon-Trent Corporation Act 1901. *Burton-upon-Trent Order.*

To the Mayor Aldermen and Burgesses of the Borough of Burton-upon-Trent;—

And to all others whom it may concern.

WHEREAS the Borough of Burton-upon-Trent (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and there are in force in the Borough the unrepealed provisions of the Burton-upon-Trent Corporation Act 1901 (herein-after referred to as "the Local Act") as altered by a certain Provisional Order duly confirmed by Parliament which does not affect the subject-matter of this Order; 1 Edw. 7. c. cxxix.

And whereas Section 52 of the Local Act authorises the Corporation to provide and run within the Borough omnibuses and motor cars in connexion with their tramways when the running of carriages thereon is impracticable or during the construction alteration or repair thereof or in prolongation of any tramway route the extension of which may be contemplated by the Corporation and to demand and take tolls and fares for the use of such omnibuses and motor cars;

A.D. 1916.

Burton-upon-Trent Order.

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 Act in the manner herein-after set forth;

And whereas by the Burton-upon-Trent Order 1911 (herein-after referred to as "the Order of 1911") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1911 provision was made for the raising and repayment of moneys which the Corporation were thereby authorised to borrow and with respect to the costs of local inquiries:

1 & 2 Geo. 5. c. cxlvi.

Now therefore We the Local Government Board in the exercise 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 Act shall be partially repealed and altered so that the following provisions shall have effect that is to say:—

38 & 39 Vict. c. 55.

Authorising Corporation to provide and run motor omnibuses.

Art. I.—(1) The Corporation may provide (but shall not manufacture) motor omnibuses and may run the same within the Borough.

(2) The Corporation may demand and take for the conveyance of passengers and parcels in or on any of the said motor omnibuses the like tolls or charges as they are for the time being authorised to demand and take for passengers and parcels conveyed upon their tramways.

(3) The Corporation may purchase by agreement take on lease and hold lands and buildings and may erect on any lands acquired by them for or which they are authorised to appropriate and use for the purposes of this Article or of their tramway undertaking omnibus carriage and motor houses buildings and sheds and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running and equipment of the said motor omnibuses but the Corporation shall not create or permit any nuisance on any such lands.

(4) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisances in or upon the said motor omnibuses Provided that any such byelaws shall be made subject and according to the provisions of Sections 46 and 47 of the Tramways Act 1870 and those provisions shall apply accordingly.

33 & 34 Vict. c. 78.

(5) Every motor omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphic line of the Postmaster-General.

(6) The Corporation shall perform in respect of the motor omnibuses provided under this Article all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated. 56 & 57 Vict. c. 38.

(7) The undertaking authorised by this Article shall be deemed to form part of the tramway undertaking of the Corporation:

Accounts of receipts and expenditure.

Provided that in the accounts of the Corporation relative to that undertaking their receipts and expenditure under this Article shall (so far as may be reasonably practicable) be distinguished from their receipts and expenditure in connexion with the remainder of the undertaking.

(8) In this Article the expression "motor omnibus" means any stage carriage moved by mechanical power including in that expression steam electrical and every other motive power not being animal power.

(9) Section 52 of the Local Act is hereby repealed.

Borrowing powers for purposes of Order.

Art. II. The Corporation may with the sanction of the Local Government Board and subject to the provisions of this Order borrow upon the security of the revenue of their tramway undertaking and of the borough fund and borough rate of the Borough such sums as may from time to time be necessary for the purposes of this Order.

Repayment &c. of borrowed moneys.

Art. III. The provisions of Articles XII. to XX. of the Order of 1911 shall with any necessary modifications apply as if the said Articles were herein re-enacted and in terms made applicable respectively to the moneys borrowed under Article II. of this Order and to any local inquiry held with reference to any of the purposes of this Order.

Consent of Treasury to borrowing during war.

Art. IV. Notwithstanding anything in this Order the Corporation shall not under the powers of this Order borrow any money during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

Short title.

Art. V. This Order may be cited as the Burton-upon-Trent Order 1916.

Given under the Seal of Office of the Local Government Board this Twenty-ninth day of February One thousand nine hundred and sixteen.

(L.S.) Walter H. Long President.
H. C. Monro Secretary.

A.D. 1916.

Buxton Order.

URBAN DISTRICT OF BUXTON.

Provisional Order for altering the Buxton Local Board Act 1892 *and the Buxton Urban District Council Act* 1904.

To the Urban District Council of Buxton;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Buxton (herein-after referred to as "the Council") are the local authority within the meaning of the Public Health Act 1875 for the Urban District of Buxton (herein-after referred to as "the District");

55 & 56 Vict. c. cxliv. 4 Edw. 7. c. ccxxiv.

And whereas there are in force in the District the unrepealed provisions of the Buxton Local Board Act 1892 and the Buxton Urban District Council Act 1904 (each of which Acts is herein-after separately referred to as the Act of the year in which it was passed and both of which Acts are herein-after together referred to as "the Local Acts");

And whereas in pursuance of the Local Acts the Council acquired the pump room and the mineral water baths therein defined and carry on a mineral baths undertaking;

And whereas by Section 8 of the Act of 1904 the Council are authorised subject as therein mentioned and subject also to the provisions of Section 11 of the Act to supply any mineral waters for the time being belonging to them or under their control to any person or persons or any class of persons or to the public generally within the District for bathing or other purposes upon such terms and conditions and subject to such reasonable charges as they may think fit;

And whereas by Section 18 of the Act of 1904 the Council with the approval of the Local Government Board are empowered to borrow the sum therein specified for extensions and improvement of their mineral baths undertaking and such further moneys as the Council may require for any of the purposes of that Act and by Section 27 of the Act provision is made with respect to the application of the revenue arising from the said undertaking;

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

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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 altered so that the following provisions shall take effect that is to say:—

Additional powers as to supply and sale of mineral waters.

Art. I.—(1) Section 8 of the Act of 1904 shall have effect as if the words "within the district" were omitted therefrom.

(2) In connection with and as part of their mineral baths undertaking the Council may prepare and bottle for sale to persons outside as well as to persons within the District any mineral waters which they are by Section 8 of the Act of 1904 as altered by subdivision (1) of this Article and subject to the provisions of that Act authorised to supply and may erect lay down provide and maintain buildings pipes pumps apparatus machinery and appliances and do all other things necessary for the purpose.

(3) The Council may by agreement with any person grant assign or lease sole and exclusive rights to any such person in regard to the use manufacture preparation and sale of any mineral waters which they are authorised to supply as aforesaid upon such terms and conditions and for such period as may be specified in such agreement.

Application of revenue of mineral baths undertaking.

Art. II. Section 27 of the Act of 1904 shall have effect as if for the words—

"First.—In payment of the working and establishment expenses "and cost of maintenance of the mineral baths undertaking"

there were substituted the words—

"First.—In payment of the working and establishment expenses "(including the expenses of advertising the sale of the mineral "waters) and cost of maintenance of the mineral baths under-"taking."

Borrowing powers.

Art. III. The purposes of this Order shall be deemed to be purposes of the Act of 1904 for which the Council may with the approval of the Local Government Board borrow money under Section 18 of that Act.

Consent of Treasury to borrowing during war.

Art. IV. Notwithstanding anything in this Order the Council shall not under the powers of this Order borrow any money during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

Saving rights of Devonshire Hospital Committee.

Art. V. Nothing in this Order shall be deemed to affect the rights of the Committee of Management of the Devonshire Hospital at Buxton in relation to the supply of mineral waters to the hospital

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Buxton Order.

or otherwise under the provisions of the Act of 1904 or the agreements contained in the Second Schedule to that Act.

Short title.

Art. VI. This Order may be cited as the Buxton Order 1916.

Given under the Seal of Office of the Local Government Board this Seventh day of March One thousand nine hundred and sixteen.

(L.S.)

Walter H. Long President.
H. C. Monro Secretary.

BOROUGH OF ST. HELENS.

St. Helens Order.

Provisional Order for altering the St. Helens Corporation Act 1911.

To the Mayor Aldermen and Burgesses of the Borough of St. Helens;—

And to all others whom it may concern.

WHEREAS the Borough of St. Helens (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the unrepealed provisions of the St. Helens Corporation Act 1911 (herein-after referred to as "the Local Act") are in force in the Borough;

1 & 2 Geo. 5. c. cxvii.

And whereas by Section 93 of the Local Act it is provided that if the medical officer of health of the Borough certifies in writing that any person is suffering from pulmonary tuberculosis and is in an infectious state and that the lodging or accommodation with which such person is provided is such that proper precautions to prevent the spread of the infection cannot be taken or that such precautions are not being taken the medical officer may make application to a court of summary jurisdiction and the court may make an order for the removal of such person to a hospital and for the detention and maintenance of such person therein and by subsection (6) of the said Section it is provided that the provisions of the said Section shall cease to be in force within the Borough at the expiration of five years from the Eighteenth day of August One thousand nine hundred and eleven unless they shall have been continued by Act of Parliament or by Provisional Order made by the Local Government Board and confirmed by Parliament which Order the Local Government Board were thereby empowered to make in accordance with the provisions of the Public Health Act 1875;

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St. Helens Order.

And whereas the Corporation have applied to the Local Government Board for the issue of a Provisional Order to continue in force the provisions of Section 93 of the Local Act for a further period:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by subsection (6) of Section 93 of the Local Act and by any other Statute in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order") the following provisions shall take effect namely:— 38 & 39 Vict. c. 55.

Art. I.—(1) The provisions of subsections (1) to (5) of Section 93 of the Local Act shall continue in force within the Borough for a period of ten years from the Eighteenth day of August One thousand nine hundred and eleven. Extension of time for operation of Section 93 of Local Act.

(2) Within twenty-one days after the commencement of this Order the Corporation shall cause to be given public notice of the effect of the provisions of this Order by advertisement in the local newspapers and otherwise in such manner as the Corporation think sufficient.

Art. II. This Order may be cited as the St. Helens Order 1916. Short title.

Given under the Seal of Office of the Local Government Board this Twenty-fourth day of January One thousand nine hundred and sixteen.

(L.S.) WALTER H. LONG President.
H. C. MONRO Secretary.

BOROUGH OF WARRINGTON.

Warrington Order.

Provisional Order for partially repealing and altering the Warrington Corporation Gas Act 1877 *and the Warrington Corporation Act* 1911.

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

And to all others whom it may concern.

WHEREAS the Borough of Warrington (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the unrepealed provisions of the Warrington Corporation Gas Act 1877 as altered by the Warrington Corporation Act 1911 (each of which Acts is herein-after separately referred to as the Act of the year in which 40 Vict. c. xxxiii. 1 & 2 Geo. 5. c. x.

A.D. 1916.

Warrington Order.

it was passed and both of which Acts are herein-after together referred to as "the Local Acts") and by certain other Local Acts and by a certain Provisional Order duly confirmed by Parliament which do not affect the subject-matter of this Order are in force in the Borough;

And whereas in pursuance of the Act of 1877 the gas undertaking and certain of the powers and authorities of the Warrington Gaslight and Coke Company were transferred to and became vested in the Corporation and the Corporation were empowered to manufacture and supply gas accordingly;

34 & 35 Vict. c. 41.

And whereas by Sections 39 and 40 of the Act of 1877 and the provisions of the Gasworks Clauses Act 1871 applied by the Act of 1877 provision is made with regard to the pressure and quality of the gas supplied by the Corporation and the testing of the same;

And whereas by Section 19 of the Act of 1911 it is provided that no penalty shall be incurred by the Corporation for insufficiency of pressure defect of illuminating power or excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency defect or excess was produced by any circumstance beyond the control of the Corporation;

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 (herein-after referred to as "the commencement of this Order") the Local Acts shall be partially repealed and altered so that the following provisions shall take effect that is to say:—

Pressure of gas.

Art. I. Section 39 of the Act of 1877 shall have effect as if the words "not less than twelve-tenths of an inch in height" were inserted therein instead of the words "from midnight to sunset not less "than six-tenths of an inch and from sunset to midnight not less than "eight-tenths of an inch in height."

Substituting standard calorific power for prescribed illuminating power of gas.

Art. II.—(1) Within six months from the commencement of this Order the Corporation shall provide at the testing-place provided at the gasworks of the Corporation apparatus for testing the calorific power of the gas supplied by them similar to the apparatus for the time being prescribed by the Metropolitan Gas Referees for testing the calorific value of gas.

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(2) The gas supplied by the Corporation shall when tested in the mode and under the conditions for the time being prescribed by the Metropolitan Gas Referees be of a calorific power of five hundred British thermal units (herein-after referred to as "the standard calorific power").

(3) Not more than one testing for calorific power shall be made on any one day Provided that if on any occasion of testing the calorific power is found to be below the standard calorific power a second testing shall be made on the same day after an interval of not less than one hour and the average of the two testings shall be deemed to be the calorific power of the gas on that day.

(4) If on any testing the calorific power of the gas supplied by the Corporation is found to be below the standard calorific power the Corporation shall be liable to the following penalties in respect of such deficiency that is to say:—

If the deficiency does not exceed fourteen British thermal units a sum not exceeding two pounds;

If the deficiency exceeds fourteen British thermal units but does not amount to twenty-eight British thermal units a sum not exceeding five pounds;

For each complete twenty-eight British thermal units of defective power a sum not exceeding ten pounds.

(5) For the purposes of the foregoing provisions the expression "British thermal units" means British thermal units gross per cubic foot of gas.

(6) The provisions of Section 12 of the Gasworks Clauses Act 1871 with reference to the testing for the illuminating power shall cease to apply to the Corporation and Sections 28 to 31 and Section 33 of that Act shall in their application to the Corporation be construed as if calorific power were therein mentioned instead of illuminating power.

(7) So much of Section 40 of the Act of 1877 as prescribes the illuminating power of the gas supplied by the Corporation and the burner to be used for testing the gas is hereby repealed.

(8) Section 19 of the Act of 1911 shall have effect as if the words "defect of calorific power" were inserted therein instead of the words "defect of illuminating power."

Provision as to general Acts relating to gas supply.

Art. III. Nothing in this Order shall except the Corporation or their gas undertaking from the provisions of any general Act relating to the supply of gas which may be passed in this or any future session of Parliament.

A.D. 1916.

Warrington Order.

Short title.

Art. IV. This Order may be cited as the Warrington Order 1916.

Given under the Seal of Office of the Local Government Board this Eighth day of February One thousand nine hundred and sixteen.

(L.S.)

WALTER H. LONG President.
H. C. MONRO Secretary.

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