CHAPTER lxxi.

An Act to confirm certain Provisional Orders of the Local Government Board for constituting joint committees to enforce the provisions of the Rivers Pollution Prevention Act, 1876, in relation to parts of the Rivers Irwell, Mersey, and Ribble. [3rd July 1891.]

A.D. 1891.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Local Government Act, 1888: 51 & 52 Vict. c. 41.

And whereas it is requisite that the said Orders 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 Orders as amended 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. 10) Act, 1891. Short title.

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Mersey and Irwell Order.

SCHEDULE.

RIVERS MERSEY AND IRWELL.

Provisional Order for constituting a Joint Committee under Section 14 of the Local Government Act, 1888.

To the County Council of Lancaster; —

To the County Council of Chester; —

To the Mayor, Aldermen, and Citizens of the City of Manchester; —

To the Mayor, Aldermen, and Burgesses of the County Borough of Bolton; —

To the Mayor, Aldermen, and Burgesses of the County Borough of Bury; —

To the Mayor, Aldermen, and Burgesses of the County Borough of Oldham; —

To the Mayor, Aldermen, and Burgesses of the County Borough of Rochdale; —

To the Mayor, Aldermen, and Burgesses of the County Borough of Salford; —

To the Mayor, Aldermen, and Burgesses of the County Borough of Stockport; —

And to all others whom it may concern.

51 & 52 Vict. c. 41.

WHEREAS by sub-section (3) of Section 14 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), it is enacted that the Local Government Board by Provisional Order made on the application of the council of any of the counties concerned may constitute a Joint Committee or other body representing all the administrative counties through or by which a river, or any specified portion of a river, or any tributary thereof, passes, and may confer on such committee or body all of the powers of a Sanitary Authority under the Rivers Pollution Prevention Act, 1876, or such of them as may be specified in the Order; and that the Order may contain such provisions respecting the constitution and proceedings of the said committee or body as may seem proper, and may provide for the payment of the expenses of such committee or body by the administrative counties represented by it, and for the audit of the accounts of such committee or body, and their officers;

39 & 40 Vict. c. 75.

And whereas application has been made to the Local Government Board by the County Councils of Lancaster and Chester for a Provisional Order for constituting a Joint Committee in pursuance of the enactment herein-before recited:

51 & 52 Vict. c. 41.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 14 and 59 of the Act, and by any other enactments in

that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect:—

Commencement of Order.

Art. I. This Order shall, except so far as is otherwise herein expressly provided, and so far as there may be anything in the subject-matter or context inconsistent therewith, come into operation on the First day of August, One thousand eight hundred and ninety-one.

Constitution of Joint Committee.

Art. II.—(1.) A Joint Committee (herein-after referred to as "the Joint Committee") shall be constituted for the purpose of enforcing the provisions of the Rivers Pollution Prevention Act, 1876 (subject to the provisions in that Act contained), in relation to so much of the River Irwell or any tributary thereof, and to so much of the River Mersey or any tributary thereof, being above the point of intersection thereof by the southern boundary of the Borough of Warrington, as passes through either of the said Counties or between them, or through or by any of the County Boroughs of Bolton, Bury, Manchester, Oldham, Rochdale, Salford, and Stockport:

Provided that the appointment of the Joint Committee shall not prejudice or in any way affect or curtail the right of any Sanitary Authority represented upon the said Committee to continue proceedings already taken, or to commence proceedings, against any person or persons in respect of any pollution of the Rivers Irwell or Mersey, or of any tributary of either of them.

(2.) The Joint Committee shall consist of twenty-four members representing the said Counties and County Boroughs, and shall be a body corporate by the name of the Joint Committee of the Rivers Mersey and Irwell, with perpetual succession and a common seal, and with power to sue and be sued in that name.

Representation of Constituent Authorities.

Art. III. The number of members of the Joint Committee to be elected by each of the councils (herein-after referred to as "the Constituent Authorities") of the said Counties and County Boroughs from among the members of its own body shall be as follows:—

By the Council of the County of Lancaster -	- Eight members.
By the Council of the County of Chester -	- Three members.
By the Council of the County Borough of Bolton -	- One member.
By the Council of the County Borough of Bury -	- One member.
By the Council of the County Borough of Manchester	- Six members.
By the Council of the County Borough of Oldham	- One member.
By the Council of the County Borough of Rochdale	- One member.
By the Council of the County Borough of Salford	- Two members.
By the Council of the County Borough of Stockport	- One member.

Date of first election.

Art. IV. The first election of members of the Joint Committee by each of the Constituent Authorities shall take place at the meeting of the Constituent Authority to be held next after the First day of August, One thousand eight hundred and ninety-one, or if for any reason no election is then made, at a meeting to be held within such further time as the Local Government Board may, by Order, allow.

Notice of persons elected.

Art. V. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, and to the clerk of each of the other Constituent Authorities, within seven days after such first election shall have taken

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place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Committee.

Continuance in office.

Art. VI. A member of the Joint Committee shall continue in office until the expiration of the period for which he was elected a member thereof, or until he dies, or resigns, or becomes disqualified, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected:

Provided always, that a member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VII. of this Order, be re-eligible as a member of the Joint Committee, if at the time of re-election he is qualified to be so re-elected.

Disqualification of members. 45 & 46 Vict. c. 50.

Art. VII. The provisions of Section 12, (except sub-section (1) (*b*),) and of Sections 41 and 224 of the Municipal Corporations Act, 1882, shall (mutatis mutandis) apply to every member of the Joint Committee.

Vacancies.

Art. VIII. Any vacancy occurring in the Joint Committee by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held as soon as practicable after the occurrence of such vacancy; and in the case of a casual vacancy, the person elected shall hold office until the time when the person in whose place he is elected would regularly have gone out of office, and he shall then go out of office.

First and other meetings.

Art. IX. The time and place of holding the first meeting of the Joint Committee shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Committee shall be held at such times and places as the Joint Committee may appoint; and at all meetings of the Joint Committee six members shall constitute a quorum:

Provided that an extraordinary meeting shall be summoned by the clerk to the Joint Committee, when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Committee.

Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

Notices of all meetings of the Joint Committee shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Committee three clear days before the day of meeting, or at such earlier time as the Joint Committee may from time to time direct.

Appointment of officers.

Art. X. The Joint Committee shall at their first meeting, or at any adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman, a vice-chairman, a treasurer, and a clerk, and they may from time to time appoint one or more medical officers and such other officers and servants as they think requisite. They may pay their treasurer, clerk, medical officer, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, medical officer, officer, and servant shall be removable by the Joint Committee at their pleasure.

Art. XI.—(1.) In case of an equal division of votes at any meeting of the Joint Committee, the chairman of the meeting shall have a second or casting vote, and, except as otherwise herein provided, the Joint Committee may from time to time make regulations respecting their proceedings.

Proceedings of Joint Committee.

(2.) The proceedings of the Joint Committee shall not be invalidated by reason of any vacancy or vacancies among its members, or of any defect in the mode of election or qualification of any member thereof.

Sub-committees.

(3.) The Joint Committee may from time to time appoint out of their own body such number of sub-committees, and consisting of such number of persons, and for such purposes, as the Joint Committee think fit, but the acts of every such sub-committee shall be submitted to the Joint Committee for their approval.

Powers, &c. 39 & 40 Vict. c. 75.

Art. XII. Subject to the provisions of this Order, the Joint Committee shall have all the powers and duties of a Sanitary Authority under the Rivers Pollution Prevention Act, 1876, and all the provisions of that Act shall apply to the Joint Committee with the necessary modifications.

Expenses.

Art. XIII. All the expenses incurred by the Joint Committee in carrying out the purposes of this Order shall be defrayed out of a common fund to be contributed by the Constituent Authorities respectively in the following proportions :—

By the Council of the County of Lancaster -	- Eight twenty-fourths.
By the Council of the County of Chester -	- Three twenty-fourths.
By the Council of the County Borough of Bolton	- One twenty-fourth.
By the Council of the County Borough of Bury	- One twenty-fourth.
By the Council of the County Borough of Manchester	Six twenty-fourths.
By the Council of the County Borough of Oldham	- One twenty-fourth.
By the Council of the County Borough of Rochdale	- One twenty-fourth.
By the Council of the County Borough of Salford	- Two twenty-fourths.
By the Council of the County Borough of Stockport	- One twenty-fourth.

Contributions of Constituent Authorities.

Art. XIV. For the purpose of obtaining payment from the Constituent Authorities of the sums to be contributed by them, the Joint Committee shall from time to time issue their precept to each Constituent Authority, stating the sum to be contributed by such Authority, and requiring such Authority, within a time limited by the precept, to pay the sum therein mentioned to the Joint Committee or to such person as the Joint Committee may direct.

Any sum lawfully included in a precept addressed to a Constituent Authority as aforesaid shall be a debt due from that Authority, and may be recovered accordingly.

Any such contribution shall in the case of each of the County Councils be paid out of the county fund of the County as a payment for general county purposes, and in the case of the council of each of the County Boroughs shall be paid out of the fund out of which the expenses incurred by that council as a Sanitary Authority in the execution of the Rivers Pollution Prevention Act, 1876, are payable.

Accounts.

Art. XV.—(1.) The accounts of the receipts and expenditure of the Joint Committee shall be made up in such form and to such day in every year as the Local Government Board may from time to time prescribe.

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(2.) The accounts and minutes of the Joint Committee shall at all reasonable times be open, without payment, to inspection and transcription by any member of any Constituent Authority, or by any officer of any Constituent Authority who may be authorised by that Authority for that purpose.

Audit.

Art. XVI.—(1.) The accounts of the Joint Committee and of their officers shall be audited in like manner and subject to the like incidents and consequences as the accounts of a County Council and its officers under sub-section (3.) of Section 71 of the Act.

(2.) A copy of the auditor's report and of the abstract of the accounts of the Joint Committee, when duly audited, shall be sent by the Joint Committee to each of the Constituent Authorities.

Settlement of differences.

Art. XVII. If at any time any difference arises between the Joint Committee on the one hand and any of the Constituent Authorities on the other hand, or between any of the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by Section 62 of the Act.

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

(L.S.)

Chas. T. Ritchie, President.
Hugh Owen, Secretary.

Ribble Order.

RIVER RIBBLE.

Provisional Order for constituting a Joint Committee under Section 14 of the Local Government Act, 1888.

To the County Council of Lancaster;—

To the Mayor, Aldermen, and Burgesses of the County Borough of Blackburn;—

To the Mayor, Aldermen, and Burgesses of the County Borough of Burnley;—

To the Mayor, Aldermen, and Burgesses of the County Borough of Preston;—

To the Mayor, Aldermen, and Burgesses of the County Borough of Wigan;—

And to all others whom it may concern.

51 & 52 Vict. c. 41.

WHEREAS by sub-section (3) of Section 14 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), it is enacted that the Local Government Board, by Provisional Order made on the application of the council of any of the counties concerned, may constitute a Joint Committee or other body representing all the administrative counties through or by which a river, or any specified portion of a river, or any tributary thereof, passes, and may confer on such committee or body all of the powers of a Sanitary Authority

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under the Rivers Pollution Prevention Act, 1876, or such of them as may be specified in the Order; and that the Order may contain such provisions respecting the constitution and proceedings of the said committee or body as may seem proper, and may provide for the payment of the expenses of such committee or body by the administrative counties represented by it, and for the audit of the accounts of such committee or body, and their officers;

39 & 40 Vict. c. 75.

And whereas application has been made to the Local Government Board by the County Council of Lancaster for a Provisional Order for constituting a Joint Committee in pursuance of the enactment herein-before recited:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 14 and 59 of the Act, and by any other enactments in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect:—

51 & 52 Vict. c. 41.

Commencement of Order.

Art. I. This Order shall, except so far as is otherwise herein expressly provided, and so far as there may be anything in the subject-matter or context inconsistent therewith, come into operation on the First day of August, One thousand eight hundred and ninety-one.

Constitution of Joint Committee.

Art. II.—(1.) A Joint Committee (herein-after referred to as "the Joint Committee") shall be constituted for the purpose of enforcing the provisions of the Rivers Pollution Prevention Act, 1876 (subject to the provisions in that Act contained), in relation to so much of the River Ribble, or any tributary thereof, and of the Rivers Darwen and Douglas, and the streams (as defined by the said Act of 1876,) running into the Crossens Channel, as passes through the County of Lancaster, or through or by the County Boroughs of Blackburn, Burnley, Preston, and Wigan:

Provided that the appointment of the Joint Committee shall not prejudice or in any way affect or curtail the right of any Sanitary Authority represented upon the said Committee to continue proceedings already taken, or to commence proceedings, against any person or persons in respect of any pollution of the River Ribble, or any tributary thereof, or of the River Darwen, or of the River Douglas, or of the streams (as defined by the said Act of 1876,) running into the Crossens Channel.

(2.) The Joint Committee shall consist of sixteen members, representing the said County and County Boroughs, and shall be a body corporate by the name of the Joint Committee of the River Ribble, with perpetual succession and a common seal, and with power to sue and be sued in that name.

Representation of Constituent Authorities.

Art. III. The number of members of the Joint Committee to be elected by each of the councils of the said County and County Boroughs (which councils are herein-after referred to as "the Constituent Authorities") from among the members of its own body shall be as follows:—

By the Council of the County of Lancaster -	- Nine members.
By the Council of the County Borough of Blackburn	- Two members.
By the Council of the County Borough of Burnley	- Two members.
By the Council of the County Borough of Preston	- Two members.
By the Council of the County Borough of Wigan -	- One member.

Date of first election.

Art. IV. The first election of members of the Joint Committee by each of the Constituent Authorities shall take place at the meeting of the Constituent

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Ribble Order.

Authority to be held next after the First day of August, One thousand eight hundred and ninety-one, or if for any reason no election is then made, at a meeting to be held within such further time as the Local Government Board may, by Order, allow.

Notice of persons elected.

Art. V. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, and to the clerk of each of the other Constituent Authorities, within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Committee.

Continuance in office.

Art. VI. A member of the Joint Committee shall continue in office until the expiration of the period for which he was elected a member thereof, or until he dies, or resigns, or becomes disqualified, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected :

Provided always, that a member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VII. of this Order, be re-eligible as a member of the Joint Committee, if at the time of re-election he is qualified to be so re-elected.

Disqualification of members. 45 & 46 Vict. c. 50.

Art. VII. The provisions of Section 12 (except sub-section (1) (*b*)) and of Sections 41 and 224 of the Municipal Corporations Act, 1882, shall (mutatis mutandis) apply to every member of the Joint Committee.

Vacancies.

Art. VIII. Any vacancy occurring in the Joint Committee by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held as soon as practicable after the occurrence of such vacancy ; and in the case of a casual vacancy, the person elected shall hold office until the time when the person in whose place he is elected would regularly have gone out of office, and he shall then go out of office.

First and other meetings.

Art. IX. The time and place of holding the first meeting of the Joint Committee shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Committee shall be held at such times and places as the Joint Committee may appoint ; and at all meetings of the Joint Committee six members shall constitute a quorum :

Provided that an extraordinary meeting shall be summoned by the clerk to the Joint Committee, when a requisition for that purpose is addressed to him by the chairman, or any two members, of the Joint Committee.

Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

Notices of all meetings of the Joint Committee shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Committee three clear days before the day of meeting, or at such earlier time as the Joint Committee may from time to time direct.

Appointment of officers.

Art. X. The Joint Committee shall at their first meeting, or at any adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman, a vice-chairman, a treasurer, and a clerk, and they may from time to

time appoint one or more medical officers, and such other officers and servants as they think requisite. They may pay their treasurer, clerk, medical officer, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, medical officer, officer, and servant shall be removable by the Joint Committee at their pleasure.

Proceedings of Joint Committee.

Art. XI.—(1.) In case of an equal division of votes at any meeting of the Joint Committee, the chairman of the meeting shall have a second or casting vote, and, except as otherwise herein provided, the Joint Committee may from time to time make regulations respecting their proceedings.

(2.) The proceedings of the Joint Committee shall not be invalidated by reason of any vacancy or vacancies among its members, or of any defect in the mode of election or qualification of any member thereof.

Sub-committees.

(3.) The Joint Committee may from time to time appoint out of their own body such number of sub-committees, and consisting of such number of persons, and for such purposes, as the Joint Committee think fit, but the acts of every such sub-committee shall be submitted to the Joint Committee for their approval.

Powers, &c. 39 & 40 Vict. c. 75.

Art. XII. Subject to the provisions of this Order, the Joint Committee shall have all the powers and duties of a Sanitary Authority under the Rivers Pollution Prevention Act, 1876, and all the provisions of that Act shall apply to the Joint Committee with the necessary modifications.

Expenses.

Art. XIII. All the expenses incurred by the Joint Committee in carrying out the purposes of this Order shall be defrayed out of a common fund to be contributed by the Constituent Authorities respectively in the following proportions:—

By the Council of the County of Lancaster -	- Nine sixteenths.
By the Council of the County Borough of Blackburn -	Two sixteenths.
By the Council of the County Borough of Burnley	- Two sixteenths.
By the Council of the County Borough of Preston	- Two sixteenths.
By the Council of the County Borough of Wigan	- One sixteenth.

Contributions of Constituent Authorities.

Art. XIV. For the purpose of obtaining payment from the Constituent Authorities of the sums to be contributed by them, the Joint Committee shall from time to time issue their precept to each Constituent Authority, stating the sum to be contributed by such Authority, and requiring such Authority, within a time limited by the precept, to pay the sum therein mentioned to the Joint Committee or to such person as the Joint Committee may direct.

Any sum lawfully included in a precept addressed to a Constituent Authority as aforesaid shall be a debt due from that Authority, and may be recovered accordingly.

Any such contribution shall in the case of the County Council be paid out of the county fund of the County as a payment for general county purposes, and in the case of the council of each of the County Boroughs shall be paid out of the fund out of which the expenses incurred by that council as a Sanitary Authority in the execution of the Rivers Pollution Prevention Act, 1876, are payable.

Accounts.

Art. XV.—(1.) The accounts of the receipts and expenditure of the Joint Committee shall be made up in such form and to such day in every year as the Local Government Board may from time to time prescribe.

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(2.) The accounts and minutes of the Joint Committee shall at all reasonable times be open, without payment, to inspection and transcription by any member of any Constituent Authority, or by any officer of any Constituent Authority authorised by that Authority for that purpose.

Audit.

Art. XVI.—(1.) The accounts of the Joint Committee and of their officers shall be audited in like manner and subject to the like incidents and consequences as the accounts of a County Council and its officers under sub-section (3.) of Section 71 of the Act.

(2.) A copy of the auditor's report and of the abstract of the accounts of the Joint Committee, when duly audited, shall be sent by the Joint Committee to each of the Constituent Authorities.

Settlement of differences.

Art. XVII. If at any time any difference arises between the Joint Committee on the one hand and any of the Constituent Authorities on the other hand, or between any of the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by Section 62 of the Act.

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

(L.S.)

Chas. T. Ritchie, President.
Hugh Owen, Secretary.

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