CHAPTER xxxiv.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Bridlington Huddersfield St. Helens Scarborough and Skelmersdale. A.D. 1915.

[2nd July 1915.]

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 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. 2) Act 1915. Short title.

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SCHEDULE.

BOROUGH OF BRIDLINGTON.

Bridlington Order.

Provisional Order for altering the Bridlington Local Board Act 1889 *and the Bridlington Corporation Act* 1904.

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

And to all others whom it may concern.

WHEREAS the Borough of Bridlington (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 there are in force in the Borough the unrepealed provisions of the Bridlington Local Board Act 1889 and the Bridlington Corporation Act 1904 (which Acts are herein-after together referred to as "the Local Acts") as altered by another Local Act which does not affect the subject-matter of this Order;

52 & 53 Vict. c. cxxiii.
4 Edw. 7. c. ccxxii.

And whereas there are in the Borough a promenade and garden or pleasure ground known and herein-after referred to as the Princes Parade and by the Local Acts the Corporation are empowered among other things to maintain alter and improve the Princes Parade to charge for admission thereto to make byelaws for the regulation thereof to erect provide maintain furnish and equip thereon a pavilion or pavilions band stand winter gardens public hall refreshment rooms shops stalls and other buildings and in any such pavilion winter gardens public hall or other building to arrange for the provision and carrying on of suitable entertainments exhibitions theatrical or other performances and amusements;

And whereas the Corporation have entered into an agreement with the New Spa and Gardens Limited for the purchase for the sum of sixteen thousand pounds of the premises situate in the Borough and known as the New Spa together with the fixtures fittings effects and rights referred to in the said agreement (herein-after collectively referred to as "the New Spa undertaking");

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Bridlington Order.

And whereas the Corporation 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:

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:—

38 & 39 Vict. c. 55.

Authorising purchase lease or hiring of New Spa undertaking and application thereto of certain provisions of Local Acts.

Art. I. The Corporation with the consent of the Local Government Board may purchase by agreement for the sum of sixteen thousand pounds the New Spa undertaking and from and after the said purchase the provisions of the Local Acts with respect to the Princes Parade shall so far as they are applicable extend and apply to the New Spa undertaking Provided that pending the completion of such purchase the Corporation may take on lease or hire the New Spa undertaking and may carry on the same as if the undertaking had been purchased by the Corporation in pursuance of the provisions of this Order.

Borrowing powers for purchase and carrying on of New Spa undertaking.

Art. II. The Corporation with the sanction of the Local Government Board and subject to the provisions of this Order may borrow upon the security of the revenue of the New Spa undertaking and of the district fund and general district rate of the Borough or upon either of those securities the sum of sixteen thousand pounds for the purchase of the New Spa undertaking authorised by this Order and such further sums as may from time to time be required for the purposes of that undertaking.

Local Loans Act and certain provisions of Public Health Act made applicable.

Art. III. For the purpose of raising money in the exercise of the powers of borrowing conferred by this Order the provisions of the Local Loans Act 1875 shall be available to the Corporation and Sections 236 to 238 of the Public Health Act 1875 shall apply to all moneys borrowed on mortgage under this Order.

Period for repayment of borrowed moneys.

Art. IV. Any moneys borrowed under Article II. of this Order for the purchase of the New Spa undertaking shall be repaid within a period of forty years from the date of borrowing and the other moneys borrowed under that Article shall be repaid within such period not exceeding sixty years from the date of borrowing as the Corporation with the sanction of the Local Government Board in each case determine The said period of forty years or any period so determined and sanctioned as the case requires is herein-after referred to as "the prescribed period" and shall with reference to the repayment of those moneys be the prescribed period for the purposes of this Order and of the Local Loans Act 1875.

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Bridlington Order.

Mode of repayment.

Art. V.—(1) The Corporation shall repay the moneys borrowed under this Order (other than moneys borrowed under the provisions of the Local Loans Act 1875) by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or the others of them.

Formation maintenance and application of sinking fund.

(2) Subject to the provisions of Article VI. of this Order if the Corporation determine to repay by means of a sinking fund any moneys borrowed under this Order the sinking fund shall be formed and maintained either—

(*a*) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is herein-after called a non-accumulating sinking fund; or

(*b*) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is herein-after called an accumulating sinking fund.

(3) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority as defined by Section 34 of the Local Loans Act 1875 but exclusive in every case of the securities of the Corporation and the Corporation shall be at liberty from time to time to vary and transpose the investments.

(4) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by the sinking

fund or the part of the sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the Corporation:

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards those equal annual payments.

(7) Any expenses connected with the formation maintenance investment application or management of or otherwise in relation to any sinking fund under this Order shall be paid by the Corporation in addition to the payments provided for by this Order.

Increase reduction or discontinuance of payments to sinking fund.

Art. VI.—(1) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

(2) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3) If in the opinion of the Local Government Board the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as the Board approve.

(4) If in the opinion of the Local Government Board the amount in any sinking fund at any time together with the accumulations thereon (in the case of an accumulating sinking fund) will probably be sufficient to repay the loan in respect of which it is formed within

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the prescribed period the Corporation may with the consent of the Board discontinue the equal annual payments to the sinking fund until the Board otherwise direct.

Surplus of sinking fund.

(5) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Local Government Board may determine.

Power to re-borrow.

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

(*a*) to borrow for the purpose of paying off any moneys previously borrowed under this Order 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 this Order 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 prescribed period 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.

Application of borrowed moneys.

Art. VIII. All moneys from time to time borrowed under this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation with the approval of the Local Government Board determine.

Receiver.

Art. IX.—(1) Subject to the provisions of this Article any mortgagee of the Corporation in respect of a mortgage under this Order may

enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver.

(2) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him:

Provided that no such application shall be entertained unless the amount of arrears due to the applicant or in the case of a joint application by two or more mortgagees to the applicants collectively be not less than five hundred pounds in the whole.

Return as to provision for repayment of debt.

Art. X.—(1) The town clerk shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may from time to time be prescribed by the Board and if required by the Board verified by statutory declaration of the town clerk showing for the year next preceding the making of the return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make the return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and, notwithstanding the recovery of that penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

(2) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether the instalment or annual payment or sum is required by this Order or by the Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any

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purpose other than an authorised purpose the Board may by order direct that the sum in their order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as is mentioned in the said order and any such order shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

Inquiries and expenses.

Art. XI. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Local Acts or this Order 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.

Consent of Treasury to borrowing during war.

Art. XII. 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. XIII. This Order may be cited as the Bridlington Order 1915.

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

(L.S.) HERBERT SAMUEL President.
WALTER T. JERRED Assistant Secretary.

BOROUGH OF HUDDERSFIELD.

Huddersfield Order.

Provisional Order for altering the Huddersfield Improvement Act 1880.

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

And to all others whom it may concern.

WHEREAS the Borough of Huddersfield (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

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43 & 44 Vict. c. xcix.

are in force in the Borough the unrepealed provisions of the Huddersfield Improvement Act 1880 (herein-after referred to as "the Local Act") as altered by certain other Local Acts which do not affect the subject-matter of this Order;

And whereas by Section 71 of the Local Act the Corporation are empowered amongst other things from time to time to order any privy tub-closet or ashpit or other like accommodation of any house to be altered by the owner thereof according to such system as they may approve and if at the expiration of the time specified in such order the work be not completed or be done contrary to any of the requirements of the order the Corporation are themselves empowered to do the work and to recover the cost of so doing in the manner referred to in the said section but it is provided that where the Corporation under the said section require the alteration of any privy tub-closet ashpit or other similar accommodation which has after construction thereof been altered according to any different system required by the Corporation all the expenses of such alteration shall be paid by the Corporation;

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

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 as altered as aforesaid shall be further altered so that the following provisions shall have effect that is to say:—

38 & 39 Vict. c. 55.

Art. I. Section 71 of the Local Act shall have effect as if its provisions extended and applied to any building in the Borough to which they do not now apply and enabled the Corporation in any case where in pursuance of the provisions of the said section as altered by this Order they require the alteration of any privy tub-closet or ashpit or other similar accommodation and where they are not themselves required to pay the expenses of such alteration to contribute towards those expenses.

Extending application of Section 71 of Local Act. Enabling Corporation to contribute towards expenses of altering privies &c.

Art. II. Any moneys expended by the Corporation in pursuance of the provisions of Section 71 of the Local Act as altered by Article I. of this Order shall so far as they are not defrayed by means of borrowed moneys be paid out of the borough fund and borough rate of the Borough.

Expenses to be charged to borough fund and borough rate.

Art. III. 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 borough fund and borough rate of the

Borrowing powers for purposes of Section 71 of

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Local Act as altered.

Borough such sums as may from time to time be necessary for the purposes of Section 71 of the Local Act as altered by Article I. of this Order.

Local Loans Act and certain provisions of Public Health Act made applicable.

Art. IV. For the purpose of raising money in the exercise of the powers of borrowing conferred by this Order the provisions of the Local Loans Act 1875 shall be available to the Corporation and Sections 236 to 238 of the Public Health Act 1875 shall apply to all moneys borrowed on mortgage under this Order.

Period for repayment of borrowed moneys.

Art. V. The moneys borrowed under Article III. of this Order shall be repaid within such period not exceeding twenty years from the date of borrowing as the Corporation with the sanction of the Local Government Board in each case determine and the period so determined and sanctioned is herein-after referred to as "the prescribed period" and shall with reference to the repayment of those moneys be the prescribed period for the purposes of this Order and of the Local Loans Act 1875.

Mode of repayment.

Art. VI.—(1) The Corporation shall repay the moneys borrowed under this Order (other than moneys borrowed under the provisions of the Local Loans Act 1875) by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or the others of them.

Formation maintenance and application of sinking fund.

(2) Subject to the provisions of Article VII. of this Order if the Corporation determine to repay by means of a sinking fund any moneys borrowed under this Order the sinking fund shall be formed and maintained either—

(*a*) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is herein-after called a non-accumulating sinking fund; or

(*b*) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is herein-after called an accumulating sinking fund.

(3) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised

to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority as defined by Section 34 of the Local Loans Act 1875 but exclusive in every case of the securities of the Corporation and the Corporation shall be at liberty from time to time to vary and transpose the investments.

(4) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6)—(*a*) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the Corporation :

(*b*) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards those equal annual payments.

(7) Any expenses connected with the formation maintenance investment application or management of or otherwise in relation to any sinking fund under this Order shall be paid by the Corporation in addition to the payments provided for by this Order.

Increase reduction or discontinuance of payments to sinking fund.

Art. VII.—(1) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

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(2) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3) If in the opinion of the Local Government Board the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as the Board approve.

(4) If in the opinion of the Local Government Board the amount in any sinking fund at any time together with the accumulations thereon (in the case of an accumulating sinking fund) will probably be sufficient to repay the loan in respect of which it is formed within the prescribed period the Corporation may with the consent of the Board discontinue the equal annual payments to the sinking fund until the Board otherwise direct.

Surplus of sinking fund.

(5) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Local Government Board may determine.

Power to re-borrow.

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

(*a*) to borrow for the purpose of paying off any moneys previously borrowed under this Order 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 this Order 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 prescribed period 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.

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(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.

Application of borrowed moneys.

Art. IX. All moneys from time to time borrowed under this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation with the approval of the Local Government Board determine.

Receiver.

Art. X.—(1) Subject to the provisions of this Article any mortgagee of the Corporation in respect of a mortgage under this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver.

(2) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him:

Provided that no such application shall be entertained unless the amount of arrears due to the applicant or in the case of a joint application by two or more mortgagees to the applicants collectively be not less than five hundred pounds in the whole.

Return as to provision for repayment of debt.

Art. XI.—(1) The town clerk shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may from time to time be prescribed by the Board and if required by the Board verified by statutory declaration of the town clerk showing for the year next preceding the making of the return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any)

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remaining invested at the end of the year and in the event of his failing to make the return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of that penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

(2) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether the instalment or annual payment or sum is required by this Order or by the Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than an authorised purpose the Board may by order direct that the sum in their order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as is mentioned in the said order and any such order shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

Inquiries and expenses.

Art. XII. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Local Act or this Order 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.

Rating of railways &c.

Art. XIII. Section 341 of the Huddersfield Improvement Act 1871 (Assessment of tithes railways &c. in certain cases) shall be incorporated with and form part of this Order and shall extend and apply to any increase or addition made under the authority of this Order to any borough rate.

Consent of Treasury to borrowing during war.

Art. XIV. 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. XV. This Order may be cited as the Huddersfield Order 1915.

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

(L.S.) HERBERT SAMUEL President.
WALTER T. JERRED Assistant Secretary.

BOROUGH OF ST. HELENS.

A.D. 1915.

St. Helens Order.

Provisional Order for altering the St. Helens Improvement Act 1869.

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 Improvement Act 1869 (herein-after referred to as "the Act of 1869") as altered by the St. Helens Order 1897 (herein-after referred to as "the Order of 1897") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 14) Act 1897 and by certain other Local Acts and by certain other Provisional Orders duly confirmed by Parliament which do not affect the subject-matter of this Order are in force in the Borough; 32 & 33 Vict. c. cxx. 60 & 61 Vict. c. cxli.

And whereas by Section 243 of the Act of 1869 the Corporation are empowered to appropriate any lands vested in them and to purchase any lands within the Borough or in the neighbourhood thereof and to appropriate the same for the purposes of parks or places of public resort or recreation and to fence in and from time to time enlarge improve and maintain the same parks or places and make approaches thereto and to do all such acts as appear to the Corporation to be necessary for the better formation improvement maintenance use and enjoyment of every such park and place;

And whereas by Section 336 of the Act of 1869 the Corporation are empowered from time to time to sell lease exchange or otherwise dispose of any building or lands or any part thereof acquired by them under that Act and not wanted for the purposes thereof and to make execute and do any deed act or thing proper for effectuating any such sale lease exchange or other disposition;

And whereas by a deed of grant dated the Twelfth day of December One thousand eight hundred and eighty-four and under the powers of the Act of 1869 certain land known as Thatto Heath was granted and conveyed by Her late Majesty Queen Victoria by and with the advice and consent of the Chancellor and Council of Her Duchy of Lancaster but subject to certain exceptions unto and to the use of the Corporation their successors and assigns upon trust either to use the same exclusively for the purposes of a place of recreation for the

A.D. 1915.

St. Helens Order.

inhabitants of and visitors to the Borough and its neighbourhood (subject to such rules and regulations as the Corporation might from time to time make respecting that user) or in case and so far as the premises should not be exclusively used for those purposes then to use the same for those purposes mainly and primarily and for such other public purposes as the Corporation or their successors might with the assent of the Local Government Board from time to time determine;

And whereas by an Indenture dated the Twenty-fifth day of November One thousand eight hundred and eighty-six and made between Samuel Taylor of the one part and the Corporation of the other part the Corporation acquired all the estate right title interest and claim of the said Samuel Taylor in and to the portions of Thatto Heath lying to the north of Elephant Lane and Scholes Lane including with certain exceptions all mines and minerals under the same upon trusts similar to those of the aforesaid deed of One thousand eight hundred and eighty-four;

And whereas the Corporation purchased in the years One thousand eight hundred and ninety-two and One thousand nine hundred under the powers of the Act of 1869 certain further lands adjoining the Thatto Heath and those lands and the portion of the Thatto Heath lying to the east of the Thatto Heath Road and to the north of Elephant Lane now constitute the public park and recreation ground known as the Thatto Heath Park;

And whereas the Corporation are the owners of another park known as the Taylor Park which is situate in the immediate vicinity of the Thatto Heath Park;

And whereas the Thatto Heath Park containing by admeasurement seventeen acres three roods seven poles or thereabouts and the Taylor Park containing by admeasurement forty-eight acres two roods or thereabouts afford sufficient accommodation for the use and enjoyment of the inhabitants of the Borough;

And whereas by Article I. of the Order of 1897 the Corporation were authorised with the consent of the Chancellor and Council of the Duchy of Lancaster on behalf of Her late Majesty Queen Victoria to sell let on lease or otherwise dispose of certain portions of the lands acquired as aforesaid in the year One thousand eight hundred and eighty-four which were separated from the Thatto Heath Park by the Thatto Heath Road and the Victoria Road respectively and were not required and could not conveniently be used for the purposes mentioned in the aforesaid deed of One thousand eight hundred and eighty-four;

And whereas the land described in the Schedule to this Order (herein-after referred to as "the scheduled land") comprises a further

portion of the lands acquired as aforesaid in the year One thousand eight hundred and eighty-four and is separated from the Thatto Heath Park by the Thatto Heath Road and is not required and cannot conveniently be used for the purposes mentioned in the aforesaid deed of One thousand eight hundred and eighty-four;

And whereas the Corporation have made application to the Local Government Board for the issue of a Provisional Order to alter or amend the Act of 1869 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 Act of 1869 shall be altered so that the following provisions shall have effect viz:— 38 & 39 Vict. c. 55.

Art. I. The Corporation may with the consent of the Chancellor and Council of the Duchy of Lancaster on behalf of the King's most Excellent Majesty sell let on lease or otherwise dispose of the scheduled land in lieu of using the same for the purposes mentioned in the deeds of One thousand eight hundred and eighty-four and One thousand eight hundred and eighty-six. Authorising disposal of part of Thatto Heath.

Art. II. This Order may be cited as the St. Helens Order 1915. Short title.

The SCHEDULE above referred to.

All that part of Thatto Heath containing by admeasurement six acres and three roods or thereabouts which is edged with a pink line on two plans marked "Plan referred to in the St. Helens Order 1915" and sealed with the official seal of the Local Government Board of which one plan is deposited in their office and the other shall be deposited by the town clerk of the Borough at his office within fourteen days after the date of this Order.

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

(L.S.) HERBERT SAMUEL President.
NOEL T. KERSHAW Assistant Secretary.

A.D. 1915.

Scarborough Order.

BOROUGH OF SCARBOROUGH.

Provisional Order for altering the Scarborough Corporation Act 1900.

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

And to all others whom it may concern.

WHEREAS the Borough of Scarborough (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 there are in force in the Borough the unrepealed provisions of the Scarborough Corporation Act 1900 (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;

63 & 64 Vict. c. cclxxix.

And whereas by Section 129 of the Local Act the Corporation were empowered amongst other things to construct and maintain on any part of the seashore or other land belonging to them open or covered sea-water swimming and other baths and by Section 66 of the Local Act the Corporation were authorised to borrow for the construction of the said baths any sum or sums of money not exceeding in the whole the sum of eight thousand pounds;

And whereas by the Local Act provision is made as to the repayment of principal moneys borrowed or to be borrowed by the Corporation under any statutory borrowing power and not raised by the issue of Corporation Stock and by Section 76 of the Local Act it is provided that the said principal moneys shall be repaid within the periods respectively prescribed by the statutory borrowing powers and in the Local Act referred to as the prescribed periods;

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

Scarborough Order.

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

Additional borrowing powers for purposes of baths.

Art. I.—(1) In addition to the moneys already authorised to be borrowed for the purposes of the construction in pursuance of the Local Act of sea-water swimming and other baths the Corporation may with the sanction of the Local Government Board and subject to the provisions of this Order borrow such further moneys as may from time to time be required for those purposes.

Security for moneys borrowed under this Order.

(2) For the repayment of all moneys borrowed in pursuance of this Order and for the payment of interest thereon the district fund and general district rate of the Borough are hereby primarily made chargeable and the provisions of the Local Act shall apply and have effect accordingly.

Period for repayment of borrowed moneys.

(3) The moneys borrowed under this Order shall be repaid within such period not exceeding sixty years from the date of borrowing as the Corporation with the sanction of the Local Government Board in each case determine and the period so determined and sanctioned shall with reference to the repayment of those moneys be the prescribed period for the purposes of the Local Act.

Inquiries and expenses.

Art. II. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order 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.

Consent of Treasury to borrowing during war.

Art. III. 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. IV. This Order may be cited as the Scarborough Order 1915.

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

(L.S.) HERBERT SAMUEL President.
WALTER T. JERRED Assistant Secretary.

A.D. 1915.

Skelmersdale Order.

URBAN DISTRICT OF SKELMERSDALE.

Provisional Order for altering the Southport Birkdale and West Lancashire Water Board Act 1907.

To the Urban District Council of Skelmersdale;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Skelmersdale (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 Skelmersdale (herein-after referred to as "the District") and there are in force in the District certain of the provisions of the Southport Birkdale and West Lancashire Water Board Act 1907 (herein-after referred to as "the Local Act");

7 Edw. 7. c. lxviii.

And whereas by Section 4 of the Local Act the agreement (herein-after referred to as "the agreement") made between the Council and the Southport Birkdale and West Lancashire Water Board (herein-after referred to as "the Water Board") which is set forth in the First Schedule to the Local Act was confirmed and made binding upon the Council and the Water Board;

And whereas by the agreement it was provided that the Council should sell and the Water Board should purchase for the sum of twenty-two thousand five hundred pounds the waterworks of the Council described in the agreement and that the Water Board should pay to the Council part of the said sum by way of the execution or issue to the Council of a mortgage or mortgages (herein-after referred to as "the waterworks mortgages") for the sum of seventeen thousand five hundred pounds and by the agreement provision was made for the redemption of the waterworks mortgages;

And whereas by Section 11 of the Local Act the Council were authorised to hold the waterworks mortgages or to sell or dispose of the waterworks mortgages and were required to invest the proceeds of any such sale and any sum received by them on the redemption of the waterworks mortgages in statutory securities as by the said section defined until the same should be applied under the provisions of Section 12 of the Local Act;

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 Act 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

38 & 39 Vict. c. 55.

and after the date of the Act of Parliament confirming this Order the Local Act shall be altered so that the following provisions shall take effect that is to say :—

Power to borrow on security of waterworks mortgages.

Art. I.—(1) The Council may with the approval of the Local Government Board borrow on the security of the waterworks mortgages any sums which they may require for the purposes of the sewerage and sewage disposal of the District.

Repayment of borrowed moneys.

(2) The moneys borrowed in pursuance of this Article shall if not previously repaid be repaid out of the principal moneys to be received by the Council on the redemption of the waterworks mortgages.

Consent of Treasury to borrowing during war.

Art. II. 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.

Short title.

Art. III. This Order may be cited as the Skelmersdale Order 1915.

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

(L.S.) HERBERT SAMUEL President.
NOEL T. KERSHAW Assistant Secretary.

Printed by EYRE and SPOTTISWOODE, LTD.,
FOR
FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

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