CHAPTER cxxxviii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Llandudno and the Rothwell Joint Cemetery District. [31st July 1914.]

A.D. 1914.

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:—

Orders in schedule confirmed.

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force.

Short title.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 22) Act 1914.

[*Price* 9*d*.]

A.D. 1914.

SCHEDULE.

URBAN DISTRICT OF LLANDUDNO.

Llandudno Order.

Provisional Order for altering the Llandudno Urban District Council Act 1897.

To the Urban District Council of Llandudno;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Llandudno (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 Llandudno (herein-after referred to as "the District") and certain of the provisions of the Llandudno Urban District Council Act 1897 (herein-after referred to as "the Local Act") are in force in the District;

60 & 61 Vict. c. clxxxv.

And whereas by Section 20 of the Local Act the Council were authorised to purchase or take on lease additional lands and lay out and improve and set apart the same or any portion thereof for cricket football golf and other games and to make byelaws for regulating the use of any lands so set apart;

And whereas the Council propose in pursuance of the provisions of Section 20 of the Local Act to acquire by agreement certain land which is situate at Maesdu within the District between Maesdu Road and the boundary of the District and adjoins the Llandudno Branch of the London and North Western Railway on the easterly side thereof and the Council also propose to lay out and improve the said land or a part thereof for the purpose of the playing of golf and to make charges for the use of the golf course;

And whereas by an Order of the Local Government Board dated the Twentieth day of August One thousand nine hundred and nine certain Parts of the Public Health Acts Amendment Act 1907 including Section 76 of that Act were declared to be in force in the District

and in consequence thereof Section 20 of the Local Act so far as the Section related to any subject matter of Section 76 of the said Act of 1907 was declared to be no longer in force in the District;

And whereas the Council have made application to the Local Government Board 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 Local Act shall be altered so that the following provisions shall take effect that is to say:— 38 & 39 Vict. c. 55.

Art. I. For the purposes of the application of so much of Section 20 of the Local Act as is still in force in the District to the said land upon its acquisition by the Council as aforesaid the said section shall have effect as if the section empowered the Council— Altering provisions of Local Act as to power to set apart lands for golf.

(*a*) to make charges for the use of so much of the land as may be set apart and laid out by the Council for the purpose of the playing of golf;

(*b*) to permit the use by any club or other body of so much of the land as may be so set apart and laid out subject to such charges and conditions as the Council may think fit;

(*c*) to make and enforce byelaws for regulating the use of so much of the land as may be so set apart and laid out and the conduct of persons using the same or resorting thereto; and

(*d*) to let on lease or otherwise to any club company body or persons any portion of the land for such consideration and upon such terms and conditions as the Council may think fit.

Art. II. This Order may be cited as the Llandudno Order 1914. Short title.

Given under the Seal of Office of the Local Government Board this Twenty-fifth day of May One thousand nine hundred and fourteen.

(L.S.) CREWE One of the Ex-officio Members.
H. C. MONRO Secretary.

A.D. 1914.

Rothwell Order.

ROTHWELL JOINT CEMETERY DISTRICT.

Provisional Order for forming a United District under Section 279 of the Public Health Act 1875.

To the Urban District Council of Rothwell;—
To the Rural District Council of Hunslet;—
And to all others whom it may concern.

WHEREAS the district councils named in column 2 of the Schedule to this Order are the local authorities within the meaning of the Public Health Act 1875 for the districts named in column 1 of that Schedule;

38 & 39 Vict. c. 55.

And whereas application has been made to the Local Government Board to form the Urban District named in column 1 of the said Schedule and so much of the Rural District named in the said column as comprises the contributory place also named in that column into a United District for the purposes herein-after mentioned;

And whereas the said Urban District is for the purpose of the election of Urban District Councillors divided into wards four of which are known respectively as the Carlton Ward the North Ward the South Ward and the Stourton Ward:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 279 of the said Act and by any other Statutes in that behalf do hereby order as follows viz.,—

Definitions.

Art. I. In this Order—

(1) The expression "the appointed day" means the date of the Act of Parliament confirming this Order;

(2) The expression "the Act" means the Public Health Act 1875;

(3) The expression "the Schedule" means the Schedule to this Order;

(4) The expression "Constituent District" means as the circumstances require either the Rothwell Urban District or the contributory place of Oulton-with-Woodlesford and the expression "Constituent Districts" means both the Constituent Districts;

(5) The expression "Constituent Authority" means a district council named in column 2 of the Schedule and the expression "Constituent Authorities" means both the district councils so named;

(6) The expression "the Joint Board" means the governing body of the United District to be formed in pursuance of this Order.

Art. II. This Order shall come into operation from and after the appointed day. Commencement of Order.

Art. III. The Constituent Districts shall be formed into a United District to be called the Rothwell Joint Cemetery District for the purposes of the acquisition construction and maintenance of a cemetery or cemeteries for the Constituent Districts. Formation of district.

Art. IV. The Joint Board shall consist of three ex-officio and six elective members and shall be called the Rothwell Joint Cemetery Board. Constitution of governing body.

Art. V. The ex-officio members shall be the persons described in column 3 of the Schedule and the elective members shall be elected by the Constituent Authorities. Ex-officio and elective members.

Art. VI. The number of members of the Joint Board to be elected by each Constituent Authority shall be that set opposite to the name of the Constituent Authority in column 4 of the Schedule and the said members shall be chosen by each Constituent Authority from among their own members. Number and qualification of elective members.

Art. VII. Such of the provisions of Section 46 of the Local Government Act 1894 as relate to members of councils of districts other than boroughs shall with the necessary modifications apply to members of the Joint Board. Disqualifications for members. 56 & 57 Vict. c. 73.

Art. VIII. The first election of members of the Joint Board shall take place at a meeting of each Constituent Authority to be held within six weeks from the appointed day or within such further time as the Local Government Board may allow and seven days' previous notice in writing of the meeting shall be given or sent to each member of the Constituent Authority by the clerk to that authority. Date of first election.

Art. IX. The clerk to each Constituent Authority shall notify in writing to the Local Government Board within seven days after the first election has taken place the names address and occupation of each of the persons elected by the Constituent Authority as a member of the Joint Board and the names address and occupation of each person who will be an ex-officio member of the Joint Board. Notification to Local Government Board of members first elected.

Art. X. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board or until he dies or resigns or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected or otherwise becomes disqualified or until Tenure of office of members.

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he becomes an ex-officio member of the Joint Board whichever shall first happen:

Provided always that an elective 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 the said Constituent Authority shall subject to the provisions of Article VII. of this Order be re-eligible as a member of the Joint Board if at the time of re-election he is qualified to be so re-elected.

Supply of vacancies.

Art. XI. Any vacancy occurring amongst the elective members of the Joint Board 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 within six weeks of the occurrence of the vacancy or within such further period as the Local Government Board determine and seven days' previous notice in writing of the said meeting shall be given or sent to each member of the Constituent Authority by the clerk to that authority and the clerk shall forthwith notify in writing to the clerk to the Joint Board the names address and occupation of the person elected to fill the said vacancy.

Meetings.

Art. XII.—(1) The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint and at all meetings of the Joint Board three members shall constitute a quorum.

(2) An extraordinary meeting shall be summoned by the clerk to the Joint Board when a requisition for that purpose is addressed to him by the chairman or any three members of the Joint Board.

(3) The requisition shall be in writing and no business other than that specified in the requisition shall be transacted at the extraordinary meeting.

(4) Notices of all meetings of the Joint Board 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 Board three clear days before the day of meeting or at such earlier time as the Joint Board direct.

Committees.

(5) The Joint Board may appoint committees consisting of members of the Joint Board for the exercise of any powers which in the opinion of the Joint Board can be properly exercised by committees but the acts of every such committee shall unless otherwise directed by the Joint Board be submitted to the Joint Board for approval

Provided that a committee so appointed shall in no case be authorised to borrow money or to issue any precept for contributions or to enter into any contract and any such committee shall be subject to the provisions of Part IV. of the First Schedule to the Local Government Act 1894 so far as they are applicable.

Appointment and remuneration of officers.

Art. XIII. The Joint Board shall at their first meeting or at an adjournment thereof and thereafter as occasion requires appoint a chairman (who shall subject to the provisions of Articles VII. and X. of this Order continue chairman for such period not exceeding three years as may be determined by the Joint Board at the time of his appointment) a treasurer and a clerk and they may appoint such other officers and servants as they think requisite The Joint Board may pay their treasurer clerk and other officers and servants such reasonable remuneration as they deem expedient and every such treasurer clerk and other officer and servant shall be removable by the Joint Board at their pleasure.

Powers rights duties &c. of Joint Board.

Art. XIV. For the purposes of this Order the following sections of the Act the Public Health (Interments) Act 1879 the Public Health (Officers) Act 1884 and the Public Health (Members and Officers) Act 1885 shall apply and the Joint Board shall have exercise perform and be subject to all the powers rights duties capacities liabilities and obligations of an Urban District Council under the same sections so far as the same are applicable viz.,—

Of the Act:—

Section 141 in so far as by virtue of subsection (1) of Section 2 of the Public Health (Interments) Act 1879 it applies to cemeteries.

Sections 173 and 174 (except subsection 3) relating to contracts.

Sections 175 176 and 177 relating to purchase sale and letting of lands.

Sections 179 to 181 relating to arbitration.

Sections 192 to 197 and Sections 205 and 206 (except so much of Section 206 as requires the publication in a local newspaper of the annual report) relating to officers provision of offices and conduct of business of local authorities.

Sections 245 247 (as amended by the District Auditors Act 1879) 249 and 250 relating to audit.

Sections 251 253 and 254 and Sections 258 to 262 and 265 to 267 and Section 269 as amended by the Summary Jurisdiction Act 1884 relating to legal proceedings.

Section 298 as to costs of Provisional Orders.

Sections 306 to 309 including miscellaneous provisions.

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Of the Public Health (Interments) Act 1879:—

42 & 43 Vict. c. 31.

Sections 2 and 3 as amended by the Burial Act 1900 and the Burial Act 1906.

47 & 48 Vict. c. 74.

Of the Public Health (Officers) Act 1884:—

Section 2.

48 & 49 Vict. c. 53.

Of the Public Health (Members and Officers) Act 1885:—

Section 2.

Saving cemetery powers of Constituent Authorities till cemetery provided.

Art. XV. Until a cemetery has been provided by the Joint Board nothing in this Order shall take away abridge or prejudicially affect any power vested in a Constituent Authority with regard to the provision of a cemetery or cemeteries.

Expenses of Joint Board.

Art. XVI.—(1) All expenses incurred by the Joint Board shall except so far as the expenses are defrayed in the manner herein-after mentioned be defrayed out of a common fund.

(2) To the common fund each Constituent Authority shall contribute in the proportion which the number of inhabitants in their Constituent District (subject as herein-after provided) bears to the total number of inhabitants of the Constituent Districts and for the purposes of this Article the number of inhabitants shall in each case be the number according to the returns of the last census prior to the issue of precepts of the Joint Board for contributions from the Constituent Authorities Provided that for the purposes of this subdivision the total number of inhabitants of the Constituent District which comprises the Urban District of Rothwell shall be deemed to mean the number of inhabitants of the North and South Wards together with half the number of the inhabitants of the Carlton and Stourton Wards of the said Urban District.

(3) Every contribution of the Rural District Council of Hunslet as a Constituent Authority to the common fund shall be defrayed as special expenses within the meaning of the Act and chargeable upon the contributory place of Oulton-with-Woodlesford.

(4) The Local Government Board may on the application of either of the Constituent Authorities or of the Joint Board by order to be published as they shall direct vary the mode of contribution and also the proportions of contributions by this Article prescribed and every such order shall have effect as if the terms thereof were inserted in this Order.

Application of moneys received by Joint Board.

Art. XVII.—(1) All moneys received by the Joint Board in respect of grants of exclusive rights of burial under Section 40 of the Cemeteries Clauses Act 1847 shall so long as any moneys borrowed or re-borrowed for the purposes of this Order are outstanding be applied towards the discharge of those moneys or towards the increase of any sinking fund

set apart for the repayment of the said moneys and when the whole of the moneys so borrowed or re-borrowed have been paid off shall be applied in the same manner as the other moneys received by the Joint Board are required to be applied under subdivision (2) of this Article.

(2) All other moneys received by the Joint Board shall be applied to the following purposes viz.,—

In payment of the establishment charges that is to say of the expenses properly chargeable to revenue of managing and maintaining the cemetery or cemeteries and works connected therewith;

In payment of interest on moneys borrowed or re-borrowed for the purposes of this Order;

In providing for the discharge of any moneys so borrowed or re-borrowed;

In payment if the Joint Board think fit of the expenses of executing any permanent works;

The residue (if any) shall be divided between the Constituent Authorities in the proportion which the number of inhabitants in each Constituent District bears to the total number of inhabitants of the Constituent Districts the number to be ascertained in accordance with the provisions of subdivision (2) of Article XVI. of this Order.

Inspection of accounts.

Art. XVIII. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription without payment by any member of a Constituent Authority or by any officer of a Constituent Authority authorised by them for that purpose.

Auditor's report and abstract of accounts.

Art. XIX. A copy of the auditor's report and of the abstract of the accounts of the Joint Board when duly audited shall be sent by the Joint Board to each Constituent Authority.

Power of Local Government Board to adapt provisions of Order on alterations of Constituent Districts.

Art. XX. If at any time any new district is formed including the whole or any part of a Constituent District or the boundaries of a Constituent District are otherwise altered or a Constituent District is created or included in a municipal borough or the number of Rural District Councillors for the contributory place named in the Schedule is altered or any repeal or alteration is made in the law affecting the United District or the Joint Board or a Constituent District or Constituent Authority in matters touching their relation to the United District or the Joint Board then and in every such case the Local Government Board may by order to be published as they shall direct make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made and to the incidents and

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consequences thereof and every such order shall have effect as if the terms thereof were inserted in this Order.

Settlement of differences.

Art. XXI. In case of difference respecting any matter arising out of the provisions of this Order the difference except in any case otherwise herein provided for shall be referred to and be settled by arbitration in the manner provided by the Act and the provisions of the Act shall with the necessary modifications apply as if the Joint Board or a Constituent Authority as the case may be were a party within the meaning of those provisions.

Short title.

Art. XXII. This Order may be cited as the Rothwell Joint Cemetery Order 1914.

The SCHEDULE above referred to.

1.	2.	3.		4.
Name of District.	Name of District Council.	Ex-officio Members.		Elective Members.
		Number.	Description.	Number.
The Urban District of Rothwell.	The Urban District Council of Rothwell.	1	The Chairman of the District Council or in the event of his being unwilling to act or being an ex-officio member elsewhere described in this Schedule then the Vice-Chairman of the District Council.	5
The district comprising the contributory place of Oulton-with-Woodlesford in the Rural District of Hunslet.	The Rural District Council of Hunslet.	2	The members of the Rural District Council representing the contributory place named in Column 1.	1

Given under the Seal of Office of the Local Government Board this Twenty-second day of May One thousand nine hundred and fourteen.

(L.S.)

HERBERT SAMUEL President.
H. C. MONRO Secretary.

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