CHAPTER xxix.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Dover Hedon Scarborough and Sheffield. [19th July 1916.]

A.D. 1916.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health Act 1875: 38 & 39 Vict. c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

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.

Audit of accounts of Dover Corporation.

2. So long as the provisions of Article I. of the Order relating to Dover shall remain in operation sections twenty-five twenty-six and twenty-seven of the Municipal Corporations Act 1882 and section two hundred and forty-six of the Public Health Act 1875 shall not apply to any accounts of the mayor aldermen and burgesses of the borough of Dover acting by the council (in this section referred to as "the Corporation") or of the treasurer of that borough or of the officers of the Corporation:

Provided that the accounts of the Corporation for the financial year ended the thirty-first day of March one thousand nine hundred and sixteen shall be audited as if this Act had not passed.

Short title.

3. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1916.

A.D. 1916.

SCHEDULE.

BOROUGH OF DOVER.

Dover Order.

Provisional Order for altering the Dover Corporation Act 1901.

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

And to all others whom it may concern.

WHEREAS the Borough of Dover (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 Dover Corporation Act 1901 (herein-after referred to as "the Local Act");

1 Edw. 7. c. ccxliii.

And whereas by Section 57 of the Local Act it was enacted that the provisions of the Municipal Corporations Acts relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under those Acts should extend to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under the Local Act;

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 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,

Audit of Borough accounts.

Art. I.—(1) Notwithstanding anything in the Local Act all accounts of the Corporation and of the treasurer of the Borough and of the officers of the Corporation under any public or private Act of Parliament or otherwise relating to matters dealt with by the Corporation in any capacity and including the accounts of any joint committee and of the

officers of any joint committee appointed by the Corporation with the council of another borough or with a County Council or with a District Council or a Parish Council shall be audited by a district auditor appointed by the Local Government Board in like manner as accounts of an urban authority and their officers are audited under Sections 247 and 250 of the Public Health Act 1875 and those sections and all enactments amending them or applying to audit by district auditors including the enactments imposing penalties and providing for the recovery of sums as well as all enactments relating to matters incidental to or consequential upon any such accounts or audit shall apply in like manner as if so far as they relate to an audit of the accounts of an urban authority and the officers of that authority they were herein re-enacted with the necessary modifications and accordingly all burgesses of the Borough and all ratepayers and owners of property in the Borough shall have the like rights and there shall be the same appeal as in the case of that audit:

Provided that for the purposes of this Article the First Schedule to the District Auditors Act 1879 shall be modified in the manner described in the Second Schedule to the Local Government Act 1888.

(2) Nothing in subdivision (1) of this Article shall apply to the audit of the accounts of the Corporation for the financial year ended the Thirty-first day of March One thousand nine hundred and sixteen.

(3) The Corporation may out of the borough fund—

(*a*) Pay reasonable subscriptions whether annually or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation not exceeding in any case four at conferences or meetings of the said associations or any of them and of purchasing reports of the proceedings of any such conferences or meetings;

(*b*) Pay the reasonable expenses of the Corporation not exceeding the sum of twenty-five pounds in each case in connexion with the presentation of the freedom of the Borough to any person whom they resolve to admit as an honorary freeman;

(*c*) Pay the reasonable expenses incurred by the Corporation in providing public entertainments on the occasion of public ceremony or rejoicing and in the reception and entertainment of distinguished persons residing in or visiting the Borough;

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Dover Order.

(*d*) Pay the reasonable and customary expenses not exceeding the sum of three hundred pounds in each case which may be incurred by the Corporation in connexion with the installation of a Lord Warden of the Cinque Ports and also any other reasonable expenses connected with any ceremonies and proceedings towards the expenses of which the Corporation have in times past contributed in accordance with ancient practice and custom by reason of the Borough being one of the Cinque Ports:

Provided that no payment shall be made by the Corporation in respect of any of the matters mentioned in any of the foregoing paragraphs (*a*) (*b*) (*c*) and (*d*) unless such payment shall have been duly authorised to be made in each case by a resolution passed at a meeting of the Council of the Borough by a majority of not less than two-thirds of those present at the meeting at which the resolution is passed.

Provision for enabling Corporation to borrow for purpose of providing for current expenses.

Art. II.—(1) The Corporation may from time to time for the purpose of providing temporarily for any current expenses that may be incurred by them under the provisions of any public general or local Act borrow by way of temporary loan or overdraft from any bank and in either case at such rate of interest as they may determine such sum as they may from time to time resolve not exceeding in the aggregate at any time an amount equal to one-sixth of the total aggregate amount of the before-mentioned expenses for the immediately preceding financial year and any amount so borrowed together with interest shall form a charge upon such funds or rates or upon such of the revenues of the undertakings of the Corporation as may be specified in the resolution of the Corporation authorising such borrowing and the Corporation may further utilise for providing temporarily for any such expenses any sinking fund reserve fund or other fund which they may have on hand crediting any such fund so utilised with such fair rate of interest not being less than three per centum per annum as they may resolve Provided that—

(*a*) Any sum so borrowed or utilised in respect of the current expenses of any financial year together with the interest thereon shall be repaid out of the revenue received by the Corporation in respect of such financial year;

(*b*) The town clerk shall within two months after the end of each financial year furnish to the Local Government Board a special report showing precisely the operation of the powers of this Article during such year and such report shall be in such form and shall contain such information as that Board shall approve or require;

(c) The Local Government Board may make such investigation as may be necessary to satisfy themselves that the requirements of this Article have been complied with and if it appear to the Local Government Board by the said report or by such investigation that the Corporation have failed to comply with the requirements of this Article that Board may by Order suspend the operation of the powers of this Article for such period as they may think fit.

(2) The provisions of this Article limiting the amount which the Corporation may borrow and the provisions of paragraph (*a*) of subdivision (1) of this Article requiring the repayment thereof out of the revenue referred to in that paragraph shall not affect any lender or his security for the loan or overdraft and the interest thereon respectively or his right to obtain payment thereof from the Corporation.

(3) The provisions of this Article shall cease to be in force at the expiration of five years from the Thirty-first day of March One thousand nine hundred and seventeen unless they shall have been continued by Act of Parliament or Provisional Order made by the Local Government Board and confirmed by Parliament.

Art. III. This Order may be cited as the Dover Order 1916. Short title.

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

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

BOROUGH OF HEDON.

Provisional Order for altering the Hedon Corporation and Borough Improvement Act 1860. *Hedon Order.*

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

And to all others whom it may concern.

WHEREAS the Borough of Hedon (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

A.D. 1916.

Hedon Order.

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 Hedon Corporation and Borough Improvement Act 1860 (herein-after referred to as "the Local Act");

23 Vict. c. xxxi.

And whereas by Section 41 of the Local Act it is provided that the purposes therein mentioned shall be deemed purposes to which the borough fund and borough rate are applicable and for which the borough rate may be assessed and levied and (when and so far as necessary) shall be included in the estimates for that rate accordingly and it is further provided that the borough rate shall not exceed in any one year one shilling and sixpence in the pound on the annual value of the property assessable to that rate;

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 in the manner herein-after set forth:

Now therefore We the Local Government Board in pursuance of the

38 & 39 Vict. c. 55.

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 have effect that is to say:—

Removing limitation on borough rate.

Art. I. Section 41 of the Local Act shall have effect as if the words "Provided always that the Borough Rate shall not exceed in "any One Year One Shilling and Sixpence in the Pound on the annual "Value of the Property assessable to that Rate" were omitted from the section.

Short title.

Art. II. This Order may be cited as the Hedon Order 1916.

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

(L.S.)

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

BOROUGH OF SCARBOROUGH.

A.D. 1916.

Scarborough Order.

Provisional Order for altering the Scarborough Corporation Water Act 1878.

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 Water Act 1878 and the Scarborough Improvement Act 1889 (each of which Acts is herein-after referred to as the Act of the year in which it was passed); 41 Vict. c. lxxv. 52 & 53 Vict. c. clxiv.

And whereas in pursuance of the Act of 1878 the undertaking of the Scarborough Waterworks Company (herein-after referred to as "the Company") was transferred to the Corporation and by Section 7 of that Act the Corporation were subject to the provisions of the Act empowered to hold the undertaking and to exercise and enjoy all the rights powers authorities and privileges of the Company so transferred subject to the provisions conditions and restrictions contained in the Acts referred to in the Act of 1878 as the special Acts and by Section 31 of the Act of 1878 the Corporation were empowered to supply and sell water within the limits of the Act at rates or charges not exceeding those prescribed by the said special Acts;

And whereas by Section 59 of an Act (herein-after referred to as "the special Act of 1845") passed in the eighth and ninth years of the reign of Her late Majesty Queen Victoria and entitled "An Act "for better supplying with Water the Towns of *Scarborough* and "*Falsgrave* in the Parish of *Scarborough* in the County of *York*" as amended by Section 16 of the Scarborough Waterworks Amendment Act 1863 (herein-after referred to as "the special Act of 1863") which are two of the special Acts referred to in the Act of 1878 the charges for the supply of water for domestic purposes by the Company were limited to the rates therein mentioned; 8 & 9 Vict. c. lxviii. 26 Vict. c. xi.

And whereas the limits within which the Corporation are authorised to supply water (herein-after referred to as "the water limits of the Corporation") are those described in Section 4 of the Act of 1878 as altered by Section 65 of the Act of 1889;

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Scarborough 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 Act of 1878 in the manner herein-after set forth:

38 & 39 Vict. c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Act of 1878 shall be altered so that the following provisions shall take effect that is to say:—

Power of Local Government Board to fix rates &c. for a supply of water for domestic use.

Art. I.—(1) The Local Government Board on the application of the Corporation may from time to time fix by Order the rates and charges for a supply of water for domestic purposes within the water limits of the Corporation.

(2) The Corporation shall as soon as practicable after an Order is made in pursuance of subdivision (1) of this Article cause the Order to be published in two successive weeks in one or more local newspapers circulating in the water limits of the Corporation and the Order shall come into operation on and after the quarter day next following the date of the last of the said publications.

Alteration of applied provisions of special Act of 1845 on operation of new water rates and charges.

Art. II. On and after the date on which any Order made in pursuance of subdivision (1) of Article I. of this Order comes into operation Sections 7 and 31 of the Act of 1878 shall have effect as if in the application of the provisions of Section 59 of the special Act of 1845 as amended by Section 16 of the special Act of 1863 to the supply of water for domestic purposes by the Corporation—

(*a*) the rates and charges fixed by the Order made as aforesaid were substituted for the maximum rates set forth in the said Section 59 as amended as aforesaid; and

(*b*) such other modifications were made in the said Section 59 as amended as aforesaid as are necessary to render that section applicable to any premises rates or charges specified in the said Order.

Short title.

Art. III. This Order may be cited as the Scarborough Order 1916.

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

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

CITY OF SHEFFIELD.

A.D. 1916.

Sheffield Order.

Provisional Order for altering the Sheffield Corporation (Streets and Tramways) Act 1897 *the Sheffield Electric Lighting (Transfer) Act* 1898 *the Sheffield Corporation Act* 1900 *the Sheffield Corporation Act* 1903 *the Sheffield Corporation Act* 1907 *and the Sheffield Corporation Act* 1912.

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

And to all others whom it may concern

WHEREAS the City of Sheffield (herein-after referred to as "the City") is an Urban Sanitary District of which the Lord Mayor Aldermen and Citizens acting by the council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and there are in force in the City the unrepealed provisions of the Sheffield Corporation (Streets and Tramways) Act 1897 the Sheffield Electric Lighting (Transfer) Act 1898 the Sheffield Corporation Act 1900 the Sheffield Corporation Act 1903 the Sheffield Corporation Act 1907 and the Sheffield Corporation Act 1912 (which Acts are herein-after together referred to as "the Local Acts" and each of which Acts is herein-after referred to as the Act of the year in which it was passed); 60 & 61 Vict. c. cii. 61 & 62 Vict. c. ccxx. 63 & 64 Vict. c. ccxxii. 3 Edw. 7. c. cclv. 7 Edw. 7. c. xciii. 2 & 3 Geo. 5. c. clxvii.

And whereas in pursuance of the Sheffield Electric Lighting Order 1892 (which Order was a Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 and was confirmed by the Electric Lighting Orders Confirmation (No. 4) Act 1892) and the Act of 1898 the Corporation have acquired and are carrying on an undertaking for the supply of electrical energy (herein-after referred to as "the electric undertaking"); 55 & 56 Vict. c. ccxix.

And whereas in pursuance of Section 30 of the Act of 1897 the Corporation constructed for the purposes of and in connexion with their tramway undertaking a station (herein-after referred to as "the Kelham Island Station") for generating electric power and have therein provided plant machinery and apparatus for the generation of electricity and the working of their tramways thereby and have further in pursuance of Section 15 of the Act of 1903 constructed a tunnel (herein-after referred to as "the Tunnel") from the Kelham

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Island Station to Alma Street in the City for the purpose of conveying their electric cables;

And whereas in pursuance of the Act of 1897 the Act of 1900 the Act of 1903 the Act of 1907 and the Act of 1912 the Corporation have borrowed moneys for the purposes of their tramway undertaking and by the Act of 1898 the Corporation are authorised to borrow moneys for the purposes of the electric undertaking;

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:

38 & 39 Vict. c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Acts shall be altered so that the following provisions shall have effect that is to say:—

Kelham Island Station to be deemed part of electric undertaking.

Art. I.—(1) The Kelham Island Station and the Tunnel together with all lands buildings works plant machinery cables and apparatus acquired or provided by the Corporation under the Act of 1897 or the Act of 1903 for the purposes of or in connection with the supply or distribution of electrical energy from the Kelham Island Station to the section pillars on the tramways of the Corporation (including the said section pillars) shall cease to form part of the tramway undertaking of the Corporation and shall be deemed to be and always to have been part of the electric undertaking of the Corporation and to have been provided by the Corporation for the purposes of that undertaking in pursuance of the Electric Lighting Acts 1882 and 1888 and the Act of 1898 and all moneys borrowed or authorised to be borrowed by the Corporation under any of the Local Acts for the purposes of the Kelham Island Station or the Tunnel or the acquisition or provision of the said lands buildings works plant machinery cables and apparatus shall be deemed to have been borrowed or to have been authorised to be borrowed for the purposes of the electric undertaking of the Corporation.

(2) Nothing in this Order shall prejudice or affect any mortgage or other security which has been granted in respect of any moneys borrowed as for the purposes of the tramway undertaking of the Corporation and any person entitled under any such mortgage or other security may enforce the same as if this Order had not been made.

(3) For the purposes of giving effect to the provisions of sub-division (1) of this Article the Corporation may make such adjustment or alteration of their accounts as may appear to them to be necessary.

Sheffield Order.

Short title.

Art. II. This Order may be cited as the Sheffield Order 1916.

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

(L.S.)

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

Printed by Eyre and Spottiswoode, Limited,

FOR

Frederick Atterbury, Esq., C.B., the King's Printer of Acts of Parliament.

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