CHAPTER cxxi.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Kendal Milton Regis Surbiton the Isle of Wight Joint Hospital District the Scunthorpe and Crosby Joint Sewerage District and the District of the Accrington District Gas and Water Board. [16th August 1909.]

A.D. 1909.

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

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

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

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

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1909. Short title.

[*Price* 1*s.* 6*d.*]

A.D. 1909.

SCHEDULE.

BOROUGH OF KENDAL.

Kendal Order.

Provisional Order for altering the Kendal Corporation Gas and Water Act 1894.

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

To the Rural District Council of South Westmorland; —

And to all others whom it may concern.

WHEREAS the Borough of Kendal (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;

57 & 58 Vict. c. lxxviii. 63 & 64 Vict. c. liv.

And whereas there are in force in the Borough the unrepealed provisions of the Kendal Corporation Gas and Water Act 1894 (herein-after referred to as "the Local Act") as altered by the Kendal Order 1900 (herein-after referred to as "the Order") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1900;

And whereas by virtue of Section 7 of the Local Act the limits of the Corporation for the supply of gas (herein-after referred to as "the gas limits") now comprise the Borough and the Parish of Scalthwaiterigg and so much of the Parish of New Hutton as prior to the Thirty-first day of March one thousand eight hundred and ninety-seven formed part of the Township of Scalthwaiterigg Hay and Hutton i'th' Hay in the Rural District of South Westmorland;

And whereas by Section 29 of the Local Act it is enacted that the price to be charged by the Corporation for gas supplied by them to persons who shall burn the same by meter shall not at any time exceed four shillings and sixpence per one thousand cubic feet;

And whereas the Corporation have made application to the Local Government Board for the issue of a Provisional Order to repeal alter

or amend the Local Act to the extent and in the manner herein-after set forth:

Kendal Order.

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

38 & 39 Vict. c. 55.

Art. I.—(1) The gas limits shall be extended so as to comprise so much of the Townships of Strickland Kettle and Strickland Roger (herein-after referred to as "the added area") as is coloured pink on the two maps each of which is marked "Kendal Gas Limits Extension" and is sealed with the official seal of the Local Government Board of which one is deposited in their office and the other shall be deposited in the office of the town clerk One copy of the map deposited with the town clerk shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk to the Rural District Council of South Westmorland.

Extension of gas limits.

(2) The several provisions of the Local Act as altered by the Order which with respect to the supply of gas and otherwise with respect to gas purposes now apply and have effect within the existing gas limits shall with the necessary modifications apply and have effect within the gas limits as extended by this Order Provided that notwithstanding anything in Section 29 of the Local Act the price to be charged by the Corporation for gas supplied in the added area to consumers who burn the same by meter may exceed that charged to the like consumers within the existing gas limits by a sum not exceeding one shilling per one thousand cubic feet.

Art. II. This Order may be cited as the Kendal Order 1909 and the Order and this Order may be cited together as the Kendal Orders 1900 and 1909.

Short titles.

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

(L.S.) John Burns President.
S. B. Provis Secretary.

A.D. 1909.

Milton Regis Order.

URBAN DISTRICT OF MILTON REGIS.

Provisional Order for altering the Milton next Sittingbourne Improvement Act 1838 *and certain Confirming Acts.*

To the Urban District Council of Milton Regis;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Milton Regis (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 Milton Regis (formerly known as the Urban District of Milton next Sittingbourne and herein-after referred to as "the District");

1 Vict. c. ii. And whereas the unrepealed provisions of the Milton next Sittingbourne Improvement Act 1838 (herein-after referred to as "the Local Act") as altered by the Provisional Orders herein-after recited are in force in the District;

39 Vict. c. xiii. 47 & 48 Vict. c. ccxii. 1 Edw. 7. c. xli. And whereas by the Local Act as altered by the Milton next Sittingbourne Order 1876 which was confirmed by the Local Government Board's Provisional Orders Confirmation (Arundel &c.) Act 1876 by the Milton next Sittingbourne Order 1884 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1884 and by the Milton next Sittingbourne Order 1901 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1901 herein-after referred to as "the Confirming Act of 1901" (each of which Orders is herein-after referred to as the Order of the year in which it was made and all of which Orders and Confirming Acts are herein-after together referred to as "the Orders" or "the Confirming Acts") the Council or their predecessors were empowered to manufacture gas and supply the same within the District;

And whereas by Article I. of the Order of 1901 the Council were empowered with the sanction of the Local Government Board to borrow such sums not exceeding in the whole the sum of seven thousand pounds as might be necessary for the purposes of their gas undertaking in addition to the sums which they were already authorised to borrow for those purposes;

And whereas the Council have made application to the Local Government Board for the issue of a Provisional Order to repeal alter

or amend the Local Act and the Confirming Acts to the extent and in the manner herein-after set forth:

Milton Regis Order.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by 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 and the Confirming Acts so far as they respectively relate to the Orders shall be altered so that the following provisions shall have effect that is to say:—

38 & 39 Vict. c. 55.

Art. I. The Local Act as altered by the Order of 1876 the Order of 1884 and the Order of 1901 and the Confirming Act of 1901 so far as it relates to the Order of 1901 shall have effect as if in Article I. of the Order of 1901 the words "nine thousand five hundred pounds" were substituted for the words "seven thousand pounds."

Additional borrowing powers for gas undertaking.

Art. II. The Local Act shall be deemed to have had and to have effect so as to empower the Council to purchase or hire and sell or let on hire supply and otherwise deal in and fix set up alter remove and re-fix but not manufacture any gas fittings and to require and take such remuneration in money or such rents and charges for and to make such terms and conditions with respect to the sale letting supply fixing setting up altering removing or re-fixing of the said gas fittings and for securing their safety and (if required by the circumstances) their return to the Council as may have been or may be agreed upon between the Council and the person to or for whom the gas fittings have been or are sold let supplied fixed set up altered removed or re-fixed.

Supply of gas fittings.

For the purposes of this Article the expression "gas fittings" includes any meter engine oven stove range pipe or burner or any other apparatus appliance article or thing used or intended or adapted to be used in or in connexion with the supply or consumption of gas for the purposes of lighting motive power heating and cooking or for any other purpose for which gas can or may be used.

Art. III. This Order may be cited as the Milton Regis Order 1909 and the Milton next Sittingbourne Orders 1876 to 1901 and this Order may be cited together as the Milton Regis Orders 1876 to 1909.

Short titles.

Given under the Seal of Office of the Local Government Board this Eleventh day of May One thousand nine hundred and nine.

(L.S.)

John Burns President.

S. B. Provis Secretary.

A.D. 1909.

Surbiton Order.

URBAN DISTRICT OF SURBITON.

Provisional Order for altering the Surbiton Improvement Act 1855.

To the Urban District Council of Surbiton;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Surbiton (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 Surbiton (herein-after referred to as "the District);

18 Vict. c. xxxvi.

And whereas the unrepealed provisions of the Surbiton Improvement Act 1855 (herein-after referred to as "the Local Act") as altered by a Provisional Order of the Local Government Board which was duly confirmed by Parliament but does not affect the subject-matter of this Order are in force in the District;

And whereas by Section 1 of the Local Act certain provisions including Sections 164 and 179 of the Towns Improvement Clauses Act 1847 are incorporated with the Local Act;

And whereas the Council have made application to the Local Government Board for the issue of a Provisional Order to repeal alter or amend the Local Act to the extent and 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 Act shall be altered so that the following provisions shall have effect that is to say:—

Alteration of Section 1 of Local Act.

Art. I. Section 1 of the Local Act shall be altered so as to provide that Sections 164 and 179 of the Towns Improvement Clauses Act 1847 shall cease to be incorporated with the Local Act:

Provided that nothing in this Article shall—

(A) affect the operation prior to the date of the Act of Parliament confirming this Order of either of the said sections as incorporated with the Local Act or anything duly done or suffered under either of those sections; or

(B) affect any right privilege obligation or liability acquired accrued or incurred under either of those sections; or

(C) affect any investigation legal proceeding or remedy in respect of any such right privilege obligation or liability as aforesaid.

Surbiton Order.

Art. II. This Order may be cited as the Surbiton Order 1909. Short title.

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

(L.S.)

John Burns President.
S. B. Provis Secretary.

ISLE OF WIGHT JOINT HOSPITAL DISTRICT.

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

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

To the Urban District Council of Saint Helen's;—

To the Rural District Council of the Isle of Wight;—

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.

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.,—

Art. I. In this Order— Definitions.

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

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

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

(4) The expression "Constituent District" means either of the Urban Districts named in column 1 of the Schedule or so much of the Rural District named in the said column of the Schedule as comprises the contributory places also named in that column and the expression "Constituent Districts" means all 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 all 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.

Isle of Wight Order.

Commencement of Order.

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

Formation of district.

Art. III. The Constituent Districts shall be formed into a United District to be called the Isle of Wight Joint Hospital District for the purposes of the provision maintenance and management for the use of the inhabitants of the Constituent Districts of a hospital or hospitals for the reception of cases of infectious diseases.

Constitution of governing body.

Art. IV. The Joint Board shall consist of three ex-officio and nine elective members and shall be called the Isle of Wight Joint Hospital Board.

Ex-officio and elective members.

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.

Number and qualification of 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.

Disqualifications for members. 56 & 57 Vict. c. 73.

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.

Date of first election.

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.

Notification to Local Government Board of members first elected.

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.

Tenure of office of members.

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 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 five 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.

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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 one or more medical officers who shall be registered medical practitioners and such other officers and servants as they think requisite The Joint Board may pay their treasurer clerk medical officers and other officers and servants such reasonable remuneration as they deem expedient and every such treasurer clerk medical officer and other officer and servant shall be removable by the Joint Board at their pleasure.

Mode of admission into hospitals.

Art. XIV.—(1) Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes and not otherwise except with the consent of the Constituent Authorities viz.,—

(A) By an order of the Joint Board or of a Constituent Authority:

(B) By an order of a medical officer of health of a Constituent Authority:

(C) By an order of a medical officer appointed by the Joint Board:

(D) By an order of a justice made under the provisions of Section 124 of the Act with the consent required by that section.

(2) If the board of guardians of the Isle of Wight Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from that board of guardians any such person may be admitted into the hospital in the manner and on the terms prescribed in the agreement.

Powers rights duties &c. of Joint Board.

Art. XV. For the purposes of this Order the following sections of the Act 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 those sections so far as the same are applicable viz.,—

Of the Act:—

Sections 122 123 131 and 132 relating to infectious diseases and hospitals.

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.

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Sections 251 253 and 254 and Sections 258 to 263 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.

Of the Public Health (Officers) Act 1884:— 47 & 48 Vict. c. 74.
Section 2.

Of the Public Health (Members and Officers) Act 1885:— 48 & 49 Vict. c. 53.
Section 2.

Power of Local Government Board to make regulations for prevention of epidemic diseases.

Art. XVI. The Joint Board shall for the purpose of the sections of the Act with regard to the "Prevention of epidemic diseases" be a local authority so as to enable the Local Government Board by any regulations under those sections to confer powers and to impose duties on the Joint Board and so far as regards any powers so conferred and any duties so imposed but nothing in this Order contained shall prevent the Local Government Board from imposing any duties by any regulations under the said sections on any Constituent Authority or affect the powers of any Constituent Authority so far as the same may be required to be exercised in pursuance of the said regulations.

Saving hospital powers of Constituent Authorities till hospital provided.

Art. XVII. Until a hospital provided by the Joint Board is ready for the reception of patients nothing in this Order shall take away abridge or prejudicially affect any power vested in any Constituent Authority with regard to the provision of a hospital or hospitals for the use of the inhabitants of their district.

Notice of provisions as to recovery of cost of maintenance.

Art. XVIII. A copy of Section 132 of the Act shall be exhibited in a conspicuous place at the principal entrance of the hospital or hospitals.

Expenses of Joint Board.

Art. XIX.—(1) All the expenses incurred by the Joint Board shall be defrayed out of a common fund to which shall be paid the sums received from the Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided and the sums recovered by the Joint Board from or repaid to the Joint Board by or for patients.

(2) To the common fund so far as the same is not provided by the aforesaid payments each Constituent Authority shall contribute in the proportion which the assessable value of the Constituent District bears to the total assessable value of the Constituent Districts.

(3) Every contribution of an Urban District Council as a Constituent Authority to the common fund and all other expenses of that Constituent Authority for the purposes of this Order shall be defrayed out of the District Fund and General District rate.

Every contribution of the Rural District Council of the Isle of Wight as a Constituent Authority to the common fund and all other

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expenses of that Constituent Authority for the purposes of this Order shall be defrayed as special expenses within the meaning of the Act and chargeable upon the several contributory places named in column 1 of the Schedule and shall be apportioned between the said contributory places so that the amount of the expenses so apportioned to each contributory place shall be in the proportion which the assessable value of the contributory place as ascertained by a special assessment in pursuance of Section 230 of the Act for the purposes of a separate rate leviable for defraying special expenses bears to the aggregate assessable value of the several contributory places as so ascertained.

(4) For the purposes of subdivision (2) of this Article the expression "assessable value" in relation to each Constituent District which is an Urban District means the net annual value whereon the general district rate leviable for defraying any contribution required by a precept of the Joint Board is assessed and in relation to the Rural District means the aggregate assessable value as ascertained by a special assessment made in pursuance of Section 230 of the Act for the purpose of the several separate rates leviable for defraying as special expenses any contribution so required from the several contributory places.

Calculation and payment of cost of maintenance of patients.

Art. XX.—(1) The cost of maintenance of patients shall be ascertained and paid as follows that is to say:—

(A) Within fourteen days after the Thirty-first day of March and the Thirtieth day of September in each year the Joint Board shall ascertain the average weekly cost per patient of the maintenance of patients who have been in the hospital during the previous half-year; and

(B) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital and in and about their medical treatment (except so far as the same shall be included in the salaries of the medical officer or medical officers and permanent nurse or nurses) and in and about the clothing conveyance to and from the hospital burials and funerals of patients and shall also include during any day in which a patient has been in the hospital the remuneration and rations of temporary nurses but shall not include the cost of the repairs to the hospital or to the fittings and furniture thereof or the salaries remuneration or rations of the officers or servants other than temporary nurses.

(2) The clerk to the Joint Board shall within twenty-one days after the Thirty-first day of March and the Thirtieth day of September in each year transmit to the clerk to each Constituent Authority an

account showing in respect of each patient received during the previous half-year into the hospital from the district of that authority after deducting any sums recovered by the Joint Board from or repaid to the Joint Board by or for that patient—

(A) the name of the patient;

(B) the number of weeks during which the patient has remained during such half-year in the hospital; and

(C) the amount of the average weekly cost of the patient.

For the purposes of this subdivision any period of less than seven days which is over and above any number of completed periods of seven days shall be reckoned as a week.

(3) The amount shown by the said account to be due shall be paid by the Constituent Authority from whose district the patient has been received into the hospital and shall be included in any precept which the Joint Board issue to the Constituent Authority under Section 284 of the Act stating the sums to be contributed by the Constituent Authority towards the common fund of the district and in case of default shall be recovered in like manner as the sums to be contributed towards the said common fund.

Disinfection.

Art. XXI. The Joint Board shall receive and disinfect free of charge to a Constituent Authority all infected articles sent by the Constituent Authority for disinfection to a hospital provided by the Joint Board.

Inspection of accounts.

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

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Isle of Wight Order.

Settlement of differences.

Art. XXV. 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. XXVI. This Order may be cited as the Isle of Wight Joint Hospital Order 1909.

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 Borough of Newport.	The Mayor Aldermen and Burgesses of the Borough of Newport acting by the Council.	1	The Mayor or in the event of his being unwilling to act or being an ex-officio member elsewhere described in this Schedule then the Deputy Mayor.	2
The Urban District of Saint Helen's.	The Urban District Council of Saint Helen's.	1	The Chairman of the Urban 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 Urban District Council.	1
The District comprising the contributory places of Ashey Bembridge Binstead Brading Brighstone Brook Calbourne Carisbrooke Chale Freshwater Gatcombe Godshill Kingston Mottiston Newchurch Northwood Shalfleet Shorwell South Arreton Thorley Totland Whippingham Yarmouth and Yaverland in the Rural District of the Isle of Wight.	The Rural District Council of the Isle of Wight.	1	The Chairman of the Rural 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 Rural District Council.	6

Given under the Seal of Office of the Local Government Board this Eleventh day of May One thousand nine hundred and nine.

(L.S.)

John Burns President.
S. B. Provis Secretary.

SCUNTHORPE AND CROSBY JOINT SEWERAGE DISTRICT.

A.D. 1909.

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

Scunthorpe and Crosby Order.

To the Urban District Council of Scunthorpe; —
To the Rural District Council of Glanford Brigg; —
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 by the district councils being the local authorities as aforesaid to form the Urban District named and that part of the Rural District of Glanford Brigg which is specified in column 1 of the said Schedule into a United District for the purposes of the construction and maintenance of a main sewer or sewers and the disposal of the sewage of the United District:

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

Art. I. In this Order— Definitions.

(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 in the one case the Urban District named in column 1 of the Schedule and in the other case so much of the Rural District named in the said column of the Schedule as comprises the contributory place also named in that column of the Schedule 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;

A.D. 1909.

Scunthorpe and Crosby Order.

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

Commencement of Order.

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

Formation of district.

Art. III. The Constituent Districts shall be formed into a United District to be called the Scunthorpe and Crosby Joint Sewerage District for the purposes herein-after mentioned.

Constitution of governing body.

Art. IV. The Joint Board shall consist of two ex-officio and six elective members and shall be called the Scunthorpe and Crosby Joint Sewerage Board (herein-after referred to as "the Joint Board").

Ex-officio and elective members.

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.

Number and qualification of 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.

Disqualifications for members. 56 & 57 Vict. c. 73.

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.

Date of first election.

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.

Notification to Local Government Board of members first elected.

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.

Tenure of office of members.

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 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

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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 extra-ordinary 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.

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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.

Purposes for which United District is formed.

Art. XIV.—(1) The purposes for which the United District is formed are as follows:—

(A) The construction and maintenance of any such main sewer or main sewers and works as may be required for the reception and disposal of the sewage from the sewers of the Constituent Districts; and

(B) The acquisition of such lands as may from time to time be necessary and the construction maintenance execution erection and working of such works machinery and plant as may be required for conveying sewage from the Constituent Districts to the lands so acquired or to any other convenient place or places where the sewage may be purified and for purifying the same by precipitation and filtration or otherwise in such manner that it may be discharged into any stream river or watercourse without breach of the Rivers Pollution Prevention Acts 1876 and 1893 or of any other provisions of the law.

39 & 40 Vict. c. 75.
56 & 57 Vict. c. 31.

(2) It shall be the duty of the Joint Board to do all such things as are authorised or required by this Order or by any enactment applied by this Order and to give full effect to the objects of this Order and to the purposes for which the United District is formed within a period of three years from the commencement of this Order and in default of their so doing they shall be deemed to be a local authority which has made default in providing their district with sufficient sewers within the meaning of Section 299 of the Act.

Powers rights duties &c. of Joint Board.

Art. XV. For the purposes of this Order the following sections of the Act the Public Health (Officers) Act 1884 and the Public Health (Members and Officers) Act 1885 shall apply and the Joint Board shall for the purposes of this Order have exercise perform and be subject to all the powers rights duties capacities liabilities and obligations of

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an Urban District Council under the same sections so far as the same are applicable namely,—

Of the Act:— 38 & 39 Vict. c. 55.

Sections 14 to 20 and 26 to 34 as to sewerage and drainage.

Section 153 as to removal of gas and water pipes.

Sections 173 and 174 relating to contracts.

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

Sections 179 to 181 relating to arbitration.

Section 192 (except as regards the inspector of nuisances) Sections 193 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 263 and 265 to 267 and Section 269 as amended by the Summary Jurisdiction Act 1884 relating to legal proceedings.

Section 285 relating to the execution of works in adjoining districts and combination for execution of works.

Section 298 as to costs of Provisional Orders.

Sections 299 (except so far as relates to water supply) 300 301 and 302 relating to defaulting local authorities.

Sections 305 to 309 including miscellaneous provisions.

Sections 327 328 and 329.

Of the Public Health (Officers) Act 1884:— 47 & 48 Vict. c. 74.
Section 2.

Of the Public Health (Members and Officers) Act 1885:— 48 & 49 Vict. c. 53.
Section 2.

Provided that nothing herein contained shall affect the powers of the Constituent Authorities with reference to sewers other than main sewers or to any other works required for the sewerage of either of the Constituent Districts.

Expenses of Joint Board.

Art. XVI.—(1) All the expenses incurred by the Joint Board shall be defrayed out of a common fund to which each Constituent Authority shall contribute as follows namely,—

(*a*) As regards one-half of any sum representing the total contributions which for the time being are payable in pursuance of precepts requiring contributions from both Constituent Authorities each Constituent Authority shall contribute in the manner provided by Section 283 of the Act;

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(*b*) As regards the other half of the said sum each Constituent Authority shall contribute in the proportion which the number of inhabitants of their Constituent District as shown by the census for the time being bears to the total number of inhabitants of the Constituent Districts as shown by the census.

(2) Every contribution of the Rural District Council as a Constituent Authority to the common fund shall be special expenses within the meaning of the Act and chargeable upon the contributory place of Crosby.

Inspection of accounts.

Art. XVII. 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. XVIII. 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.

Certain provisions of Public Health Act 1875 made applicable to Order.

Art. XIX. The provisions of Section 305 of the Act shall apply for the purposes of this Order not only in the cases therein mentioned but also where the Joint Board desire to exercise the powers thereof for the purpose of discovering or ascertaining any communication with or opening into any of the sewers of the Joint Board or the flowing or passing of any matter into those sewers or into any drain channel or watercourse communicating therewith.

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 any repeal or alteration is made in the law affecting the United District or the Joint Board or the 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 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 consequences thereof and every such order shall have effect as if the terms thereof were inserted in this Order.

Communication from sewers of Constituent Authorities into those of Joint Board.

Art. XXI. For the purposes of this Order all sewers made by the Joint Board shall be under the control of the Joint Board but a Constituent Authority shall be entitled as of right to have communication from any of their sewers into the main sewer or sewers of the Joint Board subject to the following provisions:—

(1) The communication between the sewers of the Constituent Authority and those of the Joint Board shall in every case

be made by the Joint Board at the expense of the Constituent Authority and the means of communication when made shall be wholly under the control of the Joint Board and the Joint Board shall at their own cost be at liberty at any time to alter any such means of communication:

(2) After the appointed day the Constituent Authority proposing to construct any new sewer for the purpose of bringing the sewage of their district or of any part thereof into any sewer under the control of the Joint Board by a new communication with any such last-mentioned sewer shall two months at least before they commence the construction of the means of communication send to the Joint Board plans and sections showing the proposed places of communication and the proposed level at those places of the intended new sewer and the place of communication and the level thereat of every such new sewer shall be such as shall be determined by the Joint Board and every difference respecting any such determination which may arise between the Constituent Authorities and the Joint Board shall be determinable in accordance with the provisions of Article XXIII. of this Order.

Agreements between Joint Board and District Councils other than Constituent Authorities as to communicating with sewers of Joint Board.

Art. XXII.—(1) For the purpose of enabling the Joint Board to dispose of the sewage of any county borough or county district other than one of the Constituent Districts the Joint Board may with the consent of the Local Government Board agree to allow the sewers of the council of any county borough or county district to communicate either directly or indirectly with the sewers vested in or under the control of the Joint Board or deliver sewage at the outfall of the Joint Board but any such agreement and communication shall be subject to the consent of the council through whose sewers any such indirect communication with the sewers of the Joint Board is effected.

(2) The conveyance and purification of any sewage admitted to the sewers or delivered at the outfall under any such agreement shall be deemed to be within the purposes for which the United District is formed.

Settlement of differences.

Art. XXIII. 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.

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Scunthorpe and Crosby Order. Short title.

Art. XXIV. This Order may be cited as the Scunthorpe and Crosby Joint Sewerage Order 1909.

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 Scunthorpe.	The Urban District Council of Scunthorpe.	1	The Chairman of the District Council.	3
The District comprising the contributory place of Crosby in the Rural District of Glanford Brigg.	The Rural District Council of Glanford Brigg.	1	The Chairman of the Sanitary Committee of the District Council.	3

Given under the Seal of Office of the Local Government Board this Eleventh day of May One thousand nine hundred and nine.

(L.S.)

John Burns President.
S. B. Provis Secretary.

DISTRICT OF THE ACCRINGTON DISTRICT GAS AND WATER BOARD.

Accrington District Order.

Provisional Order for altering the Accrington District Gas and Water Board Act 1894.

To the Accrington District Gas and Water Board;—
To the Mayor Aldermen and Burgesses of the Borough of Accrington;—
To the Urban District Council of Church;—
To the Urban District Council of Clayton-le-Moors;—
To the Urban District Council of Great Harwood;—
To the Urban District Council of Rishton;—

And to all others whom it may concern.

WHEREAS the Mayor Aldermen and Burgesses of the Borough of Accrington acting by the Council (herein-after referred to as "the

A.D. 1909.

Accrington District Order.

Corporation") and the Urban District Councils of Church Clayton-le-Moors Great Harwood and Rishton (herein-after together referred to as "the District Councils") are the local authorities within the meaning of the Public Health Act 1875 for the Borough of Accrington and the Urban Districts of Church Clayton-le-Moors Great Harwood and Rishton respectively;

38 & 39 Vict. c. 55.

And whereas the Accrington District Gas and Water Board Act 1894 (herein-after referred to as "the Local Act") constituted a Joint Board consisting of members elected by the Corporation and the predecessors of the District Councils and entitled the Accrington District Gas and Water Board (herein-after referred to as "the Joint Board") for the purpose of carrying the Local Act into execution;

57 & 58 Vict. c. cxxxiv.

And whereas by Section 55 of the Local Act the Joint Board were empowered for the purposes of the Local Act to purchase take and hold by agreement in addition to the lands vested in them under the Local Act any lands and hereditaments not exceeding in the whole ten acres which the Joint Board might from time to time require for the purposes of their works and undertaking but were prohibited from using any lands for the purpose of manufacturing gas or residual products except the lands described in the Fourth Schedule to the Local Act;

And whereas the Joint Board propose to acquire under the provisions of the said Section the lands adjoining their existing gasworks at Great Harwood which are described in the Schedule to this Order and it is expedient that the Joint Board should be empowered to hold and use the said lands when acquired as aforesaid for the purposes of their gas undertaking in addition to the lands described in the Fourth Schedule to the Local Act;

And whereas the Corporation and the District Councils have made application to the Local Government Board for the issue of a Provisional Order to repeal alter or amend the Local Act to the extent and 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 have effect that is to say:—

38 & 39 Vict. c. 55.

Use of additional lands for gas purposes.

Art. I. Notwithstanding anything in the Local Act the Joint Board may hold and use the lands described in the Schedule to this Order when acquired by them for all or any of the purposes of their gas undertaking including the manufacture and storage of gas and residual products.

Accrington District Order.

Short title.

Art II. This Order may be cited as the Accrington District Gas and Water Board Order 1909.

The SCHEDULE above referred to.

A plot of land containing 13121 square yards or thereabouts situate within the township of Great Harwood bounded on the south by the gasworks of the Joint Board at Great Harwood on the north by Balfour Street on the east by lands occupied by the Urban District Council of Great Harwood and on the west by lands occupied by the Great Harwood Union Mill Building Company Limited.

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

(L.S.)

John Burns President.
S. B. Provis Secretary.

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