CHAPTER lxxxv.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Abingdon Joint Hospital District Earsdon Joint Hospital District Flint Sheffield South Chilterns Joint Smallpox Hospital District West Hartlepool and Weymouth and Melcombe Regis. A.D. 1925.

[7th August 1925.]

WHEREAS the Minister of Health has made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health Act 1875 and the Local Government Act 1888: 38 & 39 Vict. c. 55. 51 & 52 Vict. c. 41.

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

Be it therefore enacted by the 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 Ministry of Health Provisional Orders Confirmation (No. 9) Act 1925. Short title.

A.D. 1925.

SCHEDULE.

ABINGDON JOINT HOSPITAL DISTRICT.

Abingdon Order.

Provisional Order for altering the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1898.

WHEREAS by virtue of the Abingdon Joint Hospital Order 1898 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1898 (which Order and Act are hereinafter referred to respectively as "the Order of 1898" and the "Confirming Act of 1898") the Borough of Abingdon and the Rural District of Abingdon constitute a United District called the Abingdon Joint Hospital District of which the governing body is the Abingdon Joint Hospital Board (hereinafter called "the Joint Board");

And whereas by Article XIX. of the Order of 1898 provision is made with respect to the expenses incurred by the Joint Board and as to the manner in which those expenses shall be borne by the Constituent Authorities;

And whereas it is expedient that the Order of 1898 should be altered as hereinafter provided:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 297 of the Public Health Act 1875 and by any other Statute in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Confirming Act of 1898 so far as it relates to the Order of 1898 shall be altered in manner following that is to say:—

1. As from the Thirtieth day of September One thousand nine hundred and twenty-five the following Article shall be substituted for Article XIX. of the Order of 1898 namely:—

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 patients as hereinafter 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 proportion to the assessable value of their Constituent District and for the purposes

of this provision the assessable value of the said Borough and Rural District shall mean the assessable value for the purpose of the levying of a General District Rate and a Special Expenses Rate respectively such assessable value being ascertained from the valuation lists in force on the Thirty-first day of March prior to the issue of the precept."

Calculation and payment of cost of maintenance of patients.

"(3) The cost of maintenance of patients shall be ascertained in accordance with the rules hereinafter set forth namely:—

(*a*) Within twenty-one days after the Thirty-first day of March and the Thirtieth day of September in each year the Joint Board shall ascertain the proportionate part of the total cost of the maintenance of the several patients who have been in the hospital during the previous half-year which will represent the average daily cost in respect of each patient;

(*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 and in and about their clothing 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."

"(4) The clerk to the Joint Board shall within twenty-eight 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 sum recovered by the Joint Board from or repaid to the Joint Board by or for that patient—

(*a*) the name and address of the patient;

(*b*) the number of days in the half-year during which the patient has remained in the hospital; and

(*c*) the amount calculated according to the rules in subdivision (3) of this Article set forth and claimed as being due from the Constituent Authority."

A.D. 1925.

Abingdon Order.

"(5) 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 Public Health Act 1875 stating the sums to be contributed by the Constituent Authority towards the common fund of the United District and in case of default shall be recovered in like manner as the sums to be contributed towards the said common fund."

Short titles.

2. This Order may be cited as the Abingdon Joint Hospital Order 1925 and the Order of 1898 and this Order may be cited together as the Abingdon Joint Hospital Orders 1898 and 1925.

Given under the Official Seal of the Minister of Health this Twenty-sixth day of May One thousand nine hundred and twenty-five.

(L.S.) E. TUDOR OWEN
Assistant Secretary Ministry of Health.

EARSDON JOINT HOSPITAL DISTRICT.

Earsdon Order.

Provisional Order for altering a Confirming Act.

WHEREAS by virtue of the Earsdon Joint Hospital Order 1904 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1904 and the Earsdon Joint Hospital Order 1912 (which Orders are hereinafter together referred to as "the Orders of 1904 and 1912" and separately referred to as "the Order of 1904" and "the Order of 1912" respectively) the Urban Districts of Earsdon Longbenton Seaton Delaval Seghill and Whitley and Monkseaton constitute the Earsdon Joint Hospital District (hereinafter referred to as "the United District") of which the governing body is the Earsdon Joint Hospital Board (hereinafter referred to as "the Joint Board");

And whereas by virtue of the Orders of 1904 and 1912 the Joint Board consists of five ex-officio members and of ten members elected by the Councils of the above-named Urban Districts (each of which Councils is hereinafter referred to as a "Constituent Authority");

And whereas it is expedient that the Urban District of Cramlington should be included in the United District and that the Orders of 1904 and 1912 should be altered as hereinafter provided:

A.D. 1925.

Earsdon Order.

Now therefore the Minister of Health in pursuance of the powers given to him by Section 297 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that from and after the First day of April nineteen hundred and twenty-six (hereinafter referred to as "the commencement of this Order") the Order of 1904 as altered by the Order of 1912 shall be altered so that the following provisions shall take effect that is to say :—

Extension of United District.

1. The United District shall be extended so as to include the Urban District of Cramlington and subject to the provisions of this Order references in the Orders of 1904 and 1912 to the Constituent Districts shall be deemed to include the Urban District of Cramlington and references in the Orders of 1904 and 1912 to the Constituent Authorities shall be deemed to include the Urban District Council of Cramlington.

Ex-officio and elective members of Joint Board.

2. The Joint Board shall consist of six ex-officio members and twelve elective members and the ex-officio members shall be the persons described in column 3 of the Schedule hereto and the number of elective members to be elected by each of the Constituent Authorities shall be that set opposite to the name of the Constituent Authority in column 4 of that Schedule.

Substitution of new Schedule.

3. The Orders of 1904 and 1912 as altered by this Order shall have effect as if the Schedule to this Order were substituted for the Schedule referred to in the Order of 1912.

Election of elective members by new Constituent Authority.

4. The provisions of Article XI. of the Order of 1904 shall apply to the first election by the Urban District Council of Cramlington of two elective members to represent that Council on the Joint Board as if the election related to the filling of vacancies occurring at the commencement of this Order.

Adjustment.

5. The Minister of Health upon the application of any of the Constituent Authorities or of the Joint Board may by order adjust as between the Constituent Authorities or as between the Constituent Authorities and the Joint Board any expense or liability incurred by or attaching to the Joint Board before the commencement of this Order or any expense liability or accounts arising out of incidental to connected with or affected by the inclusion of the Urban District of Cramlington in the United District or any expense liability or accounts in respect of which doubt or difference may arise after the commencement of this Order.

Short titles

6. This Order may be cited as the Earsdon Joint Hospital Order 1925 and the Orders of 1904 and 1912 and this Order may be cited together as the Earsdon Joint Hospital Orders 1904 to 1925.

A.D. 1925.

Earsdon Order.

The SCHEDULE above referred to

1.	2.	3.		4.
Name of District.	Name of District Council.	Ex-officio Members.		Elective Members.
		No.	Description.	No
The Urban District of Cramlington.	The Urban District Council of Cramlington.	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.	2
The Urban District of Earsdon.	The Urban District Council of Earsdon.	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.	2
The Urban District of Longbenton.	The Urban District Council of Longbenton.	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.	2
The Urban District of Seaton Delaval.	The Urban District Council of Seaton Delaval.	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.	2
The Urban District of Seghill.	The Urban District Council of Seghill.	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.	2

1.	2.	3.		4.
Name of District.	Name of District Council.	Ex-officio Members.		Elective Members.
		No.	Description.	No.
The Urban District of Whitley and Monkseaton.	The Urban District Council of Whitley and Monkseaton.	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.	2

Given under the Official Seal of the Minister of Health this Nineteenth day of May One thousand nine hundred and twenty-five.

(L.S.) E. TUDOR OWEN
Assistant Secretary Ministry of Health.

COUNTY OF FLINT.

Provisional Order made in pursuance of subsection (2) of Section 69 of the Local Government Act 1888.

County of Flint Order.

WHEREAS the County Council of the Administrative County of Flint (hereinafter referred to as "the County Council") propose to borrow with the consent of the Minister of Health and subject to the provisions of the Local Government Act 1888 (hereinafter referred to as "the Act") certain sums of money which if borrowed will together with the total debt of the County Council after deducting the amount of any sinking fund exceed the amount which the County Council are authorised to borrow under the Act;

And whereas the County Council have made application to the Minister of Health for the issue of a Provisional Order to increase the amount which may be borrowed by the County Council as hereinafter mentioned:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 69 of the Act and of any other powers in that behalf hereby orders that from and after the date

A.D. 1925.

County of Flint Order.

Additional borrowing powers.

of the Act of Parliament confirming this Order the following provisions shall have effect (that is to say) :—

1. Subject to and in accordance with the provisions of the Act the County Council may from time to time borrow such sums as may be required to an amount not exceeding in the aggregate the sum of one hundred thousand pounds in excess of the limit imposed by the provisions of subsection (2) of Section 69 of the Act.

Short title.

2. This Order may be cited as the County of Flint Order 1925.

Given under the Official Seal of the Minister of Health this Fifteenth day of May One thousand nine hundred and twenty-five.

(L.S.) E. TUDOR OWEN
Assistant Secretary Ministry of Health.

CITY OF SHEFFIELD.

Sheffield Order.

Provisional Order for amending certain Local Acts.

WHEREAS the City of Sheffield (hereinafter referred to as "the City") is an urban district of which the Lord Mayor Aldermen and Citizens acting by the Council (hereinafter referred to as "the Corporation") are the Local Authority for the purposes of the Public Health Act 1875;

And whereas under the provisions of certain local Acts the Corporation carry on a Waterworks Undertaking within the limits therein defined and by Section 43 of the Sheffield Corporation (Consolidation) Act 1918 (hereinafter referred to as "the Act of 1918") they are empowered to erect lay down provide and maintain additional and other aqueducts mains pipes tanks meters buildings works and apparatus and to do all other acts and provide all other things in any way connected with waterworks or with the supply of water in such manner as they from time to time think proper;

And whereas in accordance with certain agreements the Corporation were in the year 1922 supplying water in bulk to the Wortley Rural District Council for distribution by that Council within the Chapeltown Special Drainage District (being a contributory place within the district of that Council) And whereas by the Sheffield Water (Modification of Charges) (No. 2) Order 1922 (hereinafter referred to as "the Order of 1922") the charges which the Corporation were entitled to make under the said agreements were increased but upon the application to Parliament for confirmation of the said Order it was agreed

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Sheffield Order.

between the Corporation and the Rural District Council that the latter should sell and the former should purchase the Water Undertaking of the Rural District Council in the said Special Drainage District upon certain terms hereinafter appearing and that the Corporation should apply for any powers necessary or desirable in that behalf;

And whereas by Section 7 of the Sheffield Corporation Act 1919 (hereinafter referred to as "the Act of 1919") the Corporation are empowered to abstract certain water from the River Don and when the same has been treated to discharge the same into the Rivers Rivelin and Loxley in part satisfaction of their existing obligation to discharge compensation water into such rivers but it was provided that unless and until Parliament should otherwise allow or until the Corporation should obtain a further supply of water from works to be thereafter constructed by the Derwent Valley Water Board (which event has not yet happened) the Corporation should not if and so long as they supply the treated water under the provisions of the said section sell to any local authority company or person for use outside the water limits of the Corporation any water in excess of the quantity which the Corporation were so selling at the date of the passing of the said Act;

And whereas in the events which have happened it is desirable that the Corporation should be empowered notwithstanding that they may be supplying treated water under the provisions of the said section to sell a limited quantity of additional water to certain local authorities to whom they were so supplying water at the date of the said Act;

And whereas under Sections 416 and 439 of the Act of 1918 the Town Clerk of the City performs the duties of registrar in respect of all mortgages granted by the Corporation but the Treasurer of the City performs the duties of registrar in respect of all stock issued by the Corporation;

And whereas the Corporation have accordingly made application to the Minister of Health for the issue of a Provisional Order to amend the Acts of 1918 and 1919 in the manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the said Acts shall be amended as follows:—

Purchase of Chapeltown Works.

1.—(1) As from the twenty-ninth day of September nineteen hundred and twenty-five the Wortley Rural District Council (in this Article referred to as "the District Council") shall sell and the Corporation shall purchase the lands premises works tanks mains pipes and apparatus used by the District Council for or in connection with the supply of water by them in the Chapeltown

A.D. 1925.

Sheffield Order.

Special Drainage District (in this Order referred to as "the said lands and works") together with the benefit of and subject to all contracts and agreements relating thereto and on the said date he said lands and works shall vest in the Corporation.

(2) The price to be paid for the said lands and works shall be such as may be determined by agreement between the District Council and the Corporation or failing agreement by an arbitrator to be appointed on the application of either party by the Minister of Health and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such arbitration and in the event of the purchase price so determined not being paid by the Corporation on the twenty-ninth day of September nineteen hundred and twenty-five the Corporation shall pay to the District Council interest at the rate of five pounds per centum per annum upon the said purchase price as from the said date until the payment of the said purchase price.

(3) From and after the twenty-ninth day of September nineteen hundred and twenty-five the District Council shall cease to supply water within the Chapeltown Special Drainage District and the agreements dated respectively the fourteenth day of October eighteen hundred and seventy-eight and the twenty-first day of December eighteen hundred and eighty-seven made between the predecessors of the Corporation and the predecessors of the District Council and the Order of 1922 shall cease to have effect except for the purpose of recovering charges accrued due thereunder.

(4) The District Council shall apply any moneys received from the Corporation as the purchase price of the said lands and works in repayment of any moneys borrowed for the purpose of the said lands and works and not yet repaid and subject thereto to such other purposes as the Minister of Health may approve.

(5) The provisions of subsection (1) of Section 86 of the Act of 1918 shall not apply to the District Council or to the District of such Council.

(6) The Corporation shall from time to time distribute water throughout the portion of the Chapeltown Special Drainage District in which they supply water at the same rates calculated on the same basis and on the same terms and conditions as those at and on which they may from time to time be supplying water within the City.

Borrowing powers.

2. The Corporation may in addition to any other borrowing power possessed by them borrow for the purpose of paying the sum requisite for the purchase of the said lands and works and paying the costs of and incidental to such purchase and any moneys so borrowed shall be primarily chargeable on the revenue of the water undertaking of the Corporation and shall be repaid within such period as the Minister may determine and the provisions of Part XX. of the Act of 1918 shall apply thereto

A.D. 1925.

as if the moneys so borrowed were borrowed under Section 398 of that Act.

Sheffield Order.

Extension of power to supply water in bulk.

3. The limitation imposed by subsection (5) of Section 7 of the Act of 1919 upon the power of the Corporation to sell water for use outside their water limits until they shall obtain the further supply of water therein referred to shall be varied so that the Corporation notwithstanding that they may not have obtained such further supply and notwithstanding that they may be supplying the treated water under the provisions of the said section may sell for use outside their water limits a quantity of water exceeding by not more than 1,000,000 gallons per day the quantity by the said subsection limited :

Provided that any water sold under the authority of this Article in excess of the quantity so originally limited shall be sold only to the Dearne Valley Water Board the Rotherham Rural District Council and the Kiveton Park Rural District Council or some one or two of those bodies.

Registrar of Mortgages.

4. As from such date as the Corporation may by resolution at any time after the passing of the Act of Parliament confirming this Order determine the Treasurer of the City shall be the Registrar of Mortgages granted by the Corporation and shall exercise and perform the powers and duties conferred and imposed upon the Town Clerk by the enactments specified in subsection (2) of Section 416 of the Act of 1918 and those enactments shall in their application to the City have effect as if the said Treasurer and his office were therein referred to instead of the clerk to the Local Authority and their office.

Short title.

5. This Order may be cited as the Sheffield Order 1925.

Given under the Official Seal of the Minister of Health this Eighteenth day of May One thousand nine hundred and twenty-five.

(L.S.) E. TUDOR OWEN
Assistant Secretary Ministry of Health.

SOUTH CHILTERNS JOINT SMALLPOX HOSPITAL DISTRICT.

Provisional Order for altering two Provisional Orders confirmed by Parliament.

South Chilterns Order.

WHEREAS by the Henley and Wallingford Joint Smallpox Hospital Orders 1904 and 1915 (which Orders are hereinafter referred to as "the Orders of 1904 and 1915") duly confirmed by Parliament the Boroughs of Henley-upon-Thames and Wallingford and the Rural Districts of Crowmarsh Goring Hambleden Henley and Wallingford were constituted a United District

A.D. 1925.

South Chilterns Order.

called the Henley and Wallingford Joint Smallpox Hospital District (hereinafter referred to as "the United District") of which the governing body is the Henley and Wallingford Joint Smallpox Hospital Board (hereinafter referred to as "the Joint Board");

And whereas by virtue of the Orders of 1904 and 1915 the Joint Board consists of five ex-officio members and of eight elective members elected by the Councils of the above-named Boroughs and Rural Districts;

And whereas it is expedient that the Urban District of Wheatley and the Rural Districts of Bradfield and Culham should be included in the United District and that the Orders of 1904 and 1915 should be altered as hereinafter provided:

Now therefore the Minister of Health in pursuance of his powers under Section 297 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Orders of 1904 and 1915 shall be amended as follows:—

Extension of United District.

1. The United District shall be extended and shall comprise the constituent districts named in column 1 of the Schedule hereto and references in the Orders of 1904 and 1915 to the constituent districts and constituent authorities shall be construed as references to those districts and to the authorities named in column 2 of the said Schedule.

Constitution of Joint Board.

2. The Joint Board shall consist of seven ex-officio members and of twelve elective members and the ex-officio members shall be the persons described in column 3 of the Schedule hereto and the number of elective members to be elected by each of the Constituent Authorities shall be that set opposite to the name of that Constituent Authority in column 4 of the Schedule.

Renaming of United District.

3. The United District as extended by Article 1 of this Order shall be renamed the South Chilterns Joint Smallpox Hospital District and the Joint Board shall hereafter be known as the South Chilterns Joint Smallpox Hospital Board.

Substitution of new Schedule.

4. The Orders of 1904 and 1915 as altered by this Order shall have effect as if the Schedule to this Order were substituted for the Schedule referred to in the Order of 1915.

Election of elective member by new Constituent Authorities.

5. The provisions of Article XI. of the Order of 1904 shall apply to the first election by the Urban District Council of Wheatley and the Rural District Councils of Bradfield and Culham of the elective members to represent those Councils on the Joint Board as if the election related to the filling of vacancies occurring at the date of the Act of Parliament confirming this Order.

Short title.

6. This Order may be cited as the South Chilterns Joint Smallpox Hospital Order 1925.

The SCHEDULE above referred to.

1.	2.	3.		4.
Constituent Districts.	Constituent Authorities.	Ex-officio Members.		Elective Members.
		Number.	Description.	Number.
The Borough of Henley-upon-Thames.	The Mayor Aldermen and Burgesses of the Borough of Henley-upon-Thames 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.	1
The Borough of Wallingford.	The Mayor Aldermen and Burgesses of the Borough of Wallingford acting by the Council.	—	- - -	1
The Urban District of Wheatley.	The Urban District Council of Wheatley.	—	- - -	1
The Rural District of Bradfield.	The Rural District Council of Bradfield.	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.	2
The Rural District of Crowmarsh.	The Rural District Council of Crowmarsh.	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.	1
The Rural District of Culham.	The Rural District Council of Culham.	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.	1

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South Chilterns Order.

1.	2.	3.		4.
Constituent Districts.	Constituent Authorities.	Ex-officio Members.		Elective Members.
		Number.	Description.	Number.
The Rural District of Goring.	The Rural District Council of Goring.	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.	1
The Rural District of Hambleden.	The Rural District Council of Hambleden.	—	- - -	1
The Rural District of Henley.	The Rural District Council of Henley.	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.	2
The Rural District of Wallingford.	The Rural District Council of Wallingford.	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.	1

Given under the Official Seal of the Minister of Health this Eighteenth day of May One thousand nine hundred and twenty-five.

(L.S.)

E. TUDOR OWEN
Assistant Secretary Ministry of Health.

BOROUGH OF WEST HARTLEPOOL.

A.D. 1925.

West Hartlepool Order.

Provisional Order for partially repealing and amending certain Local and Confirmation Acts.

WHEREAS the Borough of West Hartlepool is an urban district of which the Mayor Aldermen and Burgesses acting by the Council are the local authority for the purposes of the Public Health Act 1875 and is co-extensive with the Parish of West Hartlepool;

And whereas the provisions of the West Hartlepool Extension and Improvement Act 1870 as amended by the West Hartlepool Corporation Act 1919 and by certain Provisional Orders duly confirmed by Parliament are in force in the Borough;

And whereas in pursuance of the said Acts and Orders an improvement rate and highway rate are levied within the Borough and the owners and occupiers of certain classes of property are entitled to certain relief in respect of such rates;

And whereas it is desirable that the improvement rate and highway rate should be consolidated with the borough rate levied under the Municipal Corporations Act 1882 and that the expenses of the Corporation should be defrayed out of the borough fund mentioned in that Act;

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order partially to repeal and to amend the Local Acts and Orders in force in the Borough in the manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Sections 297 and 303 of the Public Health Act 1875 and of any other power in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the said Local Acts and Orders shall be partially repealed and amended and that the following provisions shall take effect:—

Short title and commencement.

1. This Order may be cited as the West Hartlepool Order 1925 and shall come into operation on the First day of April 1926.

Interpretation.

2. In this Order unless the context otherwise requires—

"The commencement of this Order" means the First day of April 1926;

"The Borough" and "the Parish" mean respectively the Borough and the Parish of West Hartlepool;

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West Hartlepool Order.

"The Corporation" means the Mayor Aldermen and Burgesses of the Borough acting by the Council thereof;

"The Order of 1883" means the Order relating to West Hartlepool which was confirmed by the Local Government Board's Provisional Order Confirmation (No. 2) Act 1883;

"The Overseers" means the Overseers of the Poor of the Parish;

"The Seaton Carew Area" means that part of the Borough which immediately prior to the commencement of the Order of 1883 formed the Local Government District of Seaton Carew;

"Borough rate" when used in relation to a rate made by the Overseers means any rate made together with the poor rate for the purpose of satisfying a precept of the Corporation for contributions to the borough fund of the Borough or any separate rate made for that purpose.

Repeal of Local Acts and Confirmation Acts.

3. The Local Acts and Confirmation Acts mentioned in the First Schedule to this Order are hereby repealed to the extent specified in the third column of that Schedule.

Abolition of improvement fund improvement rate and highway rate.

4.—(1) All expenses of the Corporation which if this Order had not been made would have been payable out of the improvement fund and improvement rate or the highway rate of the Borough shall be charged on and defrayed out of the borough fund and the borough rate of the Borough and any reference to the improvement fund or improvement rate or the highway rate in any Local Act or Provisional Order in force in the Borough shall be deemed to be a reference to the borough fund or borough rate of the Borough.

(2) The improvement fund of the Borough shall be closed and any balance which on the Thirty-first day of March 1926 is standing to the credit or to the debit of the said fund or of the highway rate account shall from and after that day be transferred to the credit or the debit (as the case may be) of the borough fund of the Borough and any moneys owing to the Corporation in respect of or in connection with the improvement rate or the highway rate shall continue to be payable to and recoverable by the Corporation as if this Order had not been made and when received by the Corporation shall be carried to the credit of the borough fund.

(3) Nothing in this Order shall prejudice or affect any mortgage or other security which immediately before the commencement of this Order operates as a charge on the improvement

fund improvement rate or highway rate of the Borough in respect of moneys borrowed by the Corporation or the powers of any person entitled under any such mortgage or other security to enforce the same as if this Order had not been made and where for any such purpose it is necessary to continue the exercise of a power which would have existed but for this Order the power may continue to be exercised as if this Order had not been made.

Assessment of certain properties to borough rate.

5.—(1) The following provisions shall have effect with respect to any borough rate made after the commencement of this Order by the Overseers that is to say :—

(*a*) Subject to the provisions of this Article the owner of any tithes or of any tithe commutation rentcharge or the occupier of any other hereditament mentioned in the first column of the Second Schedule to this Order shall be assessed to the borough rate in respect of such hereditament on the full rateable value thereof but shall be liable to pay in each year the percentage only shown in the second column (in respect of such hereditaments situate in the Seaton Carew Area) and in the third column (in respect of such hereditaments situate elsewhere in the Borough) of the rate in the pound payable in respect of hereditaments not mentioned in the Second Schedule to this Order ;

(*b*) During the continuance of the Agricultural Rates Acts 1896 and 1923 the occupier of any agricultural land within the meaning of those Acts shall be assessed to the borough rate in respect of such land on the full rateable value thereof but shall be liable to pay in each year twenty-five per cent. only of the rate in the pound payable in respect of hereditaments not mentioned in the Second Schedule to this Order :

Provided that on the expiration of the Agricultural Rates Act 1923 thirty-seven per cent. as respects agricultural land situate in the Seaton Carew Area and forty per cent. as respects agricultural land situate elsewhere in the Borough shall during the continuance of the Agricultural Rates Act 1896 be substituted for twenty-five per cent. in the preceding provision of this Article :

(*c*) During the continuance of the Tithe Rentcharge (Rates) Act 1899 the owner of tithe rentcharge attached to a benefice shall under that Act be liable to pay thirty-seven sixtieths of the amount of the borough rate calculated to be due from him under paragraph (*a*) of this Article as owner of any tithe rentcharge arising in the Seaton Carew Area and one-half of the borough

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rate calculated to be due from him under the paragraph aforesaid as owner of any tithe rentcharge arising elsewhere in the Borough and the remaining twenty-three sixtieths or one-half thereof (as the case may be) shall on demand being made by the collector of the rate on the surveyor of taxes for the Borough or any district therein be paid by the Commissioners of Inland Revenue out of the sums payable by them to the Local Taxation Account on account of the estate duty grant.

(2) Nothing in this Order shall affect the operation of the Ecclesiastical Tithe Rentcharges (Rates) Acts 1920 and 1922.

(3) Nothing in this Order shall affect the share of the annual grant payable under the Agricultural Rates Act 1896 to any spending authority or save as expressly provided in this Order the operation of that Act.

(4) Nothing in this Order shall affect the operation of the Agricultural Rates Act 1923 or the power of the Minister of Health to estimate as respects each half-year after the commencement of this Order the amount of the deficiency which would have arisen by reason of Section 1 of that Act if this Order had not been made in the produce of any precept of the Corporation for the purpose of the issue from the Local Taxation Account of the share of the Corporation in the additional annual grant under that Act.

Agreements with owners &c. in Seaton Carew Area for a reduction of relief from rates.

6.—(1) The Corporation may make and carry into effect agreements with the owners lessees and occupiers of any hereditament within the Seaton Carew Area providing that in consideration of such payment by the Corporation by way of compensation as may be agreed upon the percentage of the borough rate payable in respect of that hereditament shall be the percentage prescribed by this Order as respects hereditaments of a similar character within the remainder of the Borough.

(2) Any sum paid by the Corporation by way of compensation in pursuance of an agreement authorised by this Article may be defrayed from the borough fund and borough rate of the Borough and any such compensation shall be deemed to be a purpose for which the Corporation may with the consent of the Minister of Health borrow money under Section 46 of the West Hartlepool Corporation Act 1919.

Levy of rates by Overseers.

7.—(1) For the purpose of satisfying a precept of the Corporation for the levy and collection of a borough rate the Overseers shall levy and collect the sums demanded by the Corporation together with the poor rate of the Parish or in the event of the issue by the Corporation of a supplementary precept

for a further contribution to the borough rate the Overseers shall levy a separate rate on the Parish for which the Overseers shall have all the powers vested in them with respect to a poor rate of the Parish.

(2) Subsections (2) to (9) of Section 146 of the Municipal Corporations Act 1882 and Section 147 of that Act (which enactments provide for appeals against borough rates for the collection of such rates for the rating of owners and other matters) shall extend to any rate made by the Overseers under this Article.

Deficiency in poor rate.

8. For the purposes of Section 133 of the Lands Clauses Consolidation Act 1845 the borough rate for any one year levied in the Parish shall to the extent of fifty per cent. thereof be deemed to be poor's rate within the meaning of that section.

Form of rate &c. to be prescribed by Minister of Health.

9. Any borough rate or poor rate made by the Overseers and the demand note and any other necessary documents to be used for the purposes of or in connection with any such rate shall be in such form as the Minister of Health may from time to time prescribe.

THE FIRST SCHEDULE.

Local Acts and Confirmation Acts to be partially repealed.

Session and Chapter. 1.	Short Title. 2.	Extent of Repeal. 3.
33 & 34 Vict. c. cxiii.	The West Hartlepool Extension and Improvement Act 1870.	So much of Part XX. as is unrepealed.
46 & 47 Vict. c. ccxxiv.	The Local Government Board's Provisional Order Confirmation (No. 2) Act 1883.	So much of the Act as confirms Articles XVI. to XXI. of the Order in the Schedule to the Act.
10 Edw. 7 and 1 Geo. 5 c. lxxxv.	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1910.	So much of the Act as confirms the West Hartlepool Order 1910.
9 & 10 Geo. 5 c. lvii.	The West Hartlepool Corporation Act 1919.	Section 62 so far as it relates to any rate made in pursuance of the West Hartlepool Extension and Improvement Act 1870.

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THE SECOND SCHEDULE.

BOROUGH RATES.

Percentage of the full Rate in the Pound payable by the Owner or Occupier of certain hereditaments.

Description of Hereditament. 1.	Seaton Carew Area. 2.	Remainder of Borough. 3.
Tithes or tithe commutation rentcharge -	60	100
Agricultural land within the meaning of the Agricultural Rates Acts 1896 and 1923 and woodlands.	60	69
Land used as a public railway dock timber-pond or harbour.	60	69
Mains and pipes of the Hartlepool Gas and Water Company.	69	69

Given under the Official Seal of the Minister of Health this Twenty-second day of May One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

BOROUGH OF WEYMOUTH AND MELCOMBE REGIS.

Weymouth and Melcombe Regis Order.

Provisional Order for partially repealing altering or amending the Weymouth and Melcombe Regis Corporation Act 1914.

WHEREAS the Borough of Weymouth and Melcombe Regis (hereinafter referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (hereinafter referred to as "the Corporation") are the local authority for the purposes of the Public Health Act 1875 and the unrepealed provisions of the Weymouth and Melcombe Regis Corporation Act 1914 (hereinafter referred to as "the Local Act") as amended by the Weymouth and Melcombe Regis

Order 1922 which was duly confirmed by Parliament are in force in the Borough;

And whereas by Section 8 of the Local Act the Corporation were empowered in connection with certain works authorised by the Local Act to fill up and reclaim an area of land covered with water known as the Backwater or Radipole Lake which is or is reputed to be the property of the Corporation and to construct and maintain certain works in connection therewith;

And whereas by paragraph (*c*) of subsection (1) of Section 85 of the Local Act the Corporation were empowered to borrow sums not exceeding thirty-two thousand six hundred pounds for the purposes therein referred to which powers have been exercised to the extent of six thousand five hundred pounds and by subsection (2) of the said Section 85 the Corporation were authorised with the consent of the Local Government Board to borrow such further moneys as might be necessary for any of the purposes of the Local Act;

And whereas the Corporation have made application to the Minister of Health partially to repeal alter or amend the Local Act in the manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Local Act shall be partially repealed altered or amended in manner following that is to say:—

Amendment of Section 8 of Local Act.

1.—(1) In the application of Section 8 of the Local Act to that part of the Backwater or Radipole Lake which lies to the north of the Embankment Road or Dam across the Backwater that section shall be amended and have effect as if the words "in connection with the works by this Act authorised" were omitted therefrom.

(2) Nothing in this Order shall prejudicially affect the rights or privileges (if any) of any person claiming to be interested in the Backwater as riparian owner or otherwise.

Borrowing powers.

2. Section 85 of the Local Act shall be amended as follows—

(1) The power of the Corporation to borrow money under paragraph (*c*) of subsection (1) shall cease to exist except in so far as it has already been acted upon and except for the purposes of Work No. 7 authorised by the Local Act:

(2) The Minister of Health shall cause a public local inquiry to be held into every application made to

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him by the Corporation under subsection (2) for his consent to the borrowing of money for any of the purposes of the Local Act as amended by this Order affecting the Backwater.

Short title.

3. This Order may be cited as the Weymouth and Melcombe Regis Order 1925.

Given under the Official Seal of the Minister of Health this Twentieth day of May One thousand nine hundred and twenty-five.

(L.S.) H. W. S. FRANCIS
Assistant Secretary Ministry of Health.

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