ELIZABETH II

1966 CHAPTER iv

An Act to confirm a Provisional Order of the Minister of Housing and Local Government relating to the West Kent Main Sewerage District. [3rd August 1966]

WHEREAS under the provisions of the Public Health Act 1875 the Minister of Housing and Local Government has made a Provisional Order which needs confirmation by Parliament: 1875 c. 55.

Be it therefore enacted by the Queen'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 order of the Minister of Housing and Local Government which is set out in the schedule to this Act is hereby confirmed and shall have full validity and force. Confirmation of order in schedule.

2. This Act may be cited as the Ministry of Housing and Local Government Provisional Order Confirmation (West Kent Main Sewerage District) Act 1966. Short title.

SCHEDULE

WEST KENT MAIN SEWERAGE DISTRICT

PROVISIONAL ORDER AMENDING CERTAIN LOCAL ACTS AND CONFIRMING ACTS

The Minister of Housing and Local Government, on the application of the West Kent Main Sewerage Board, and in exercise of his powers under article VI of the West Kent Main Sewerage Order 1886, which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1886, and sections 297 and 303 of the Public Health Act 1875, hereby makes the following order:—

1886 c. xv.
1875 c. 55.

Citation and commencement.

1.—(1) This order may be cited as the West Kent Main Sewerage Order 1966, and the West Kent Main Sewerage Orders 1886 to 1959 and this order may be cited together as the West Kent Main Sewerage Orders 1886 to 1966.

(2) This order shall come into operation for the purposes of articles 4, 6, 7 and 8 hereof on the appointed day; and for all other purposes on the date of the Act of Parliament confirming it.

Interpretation.

2. In this order, unless the context otherwise requires—

"the appointed day" means the day fixed in pursuance of article 3 of this order;

"the Board" means the West Kent Main Sewerage Board;

"the Croydon corporation" means the mayor, aldermen and burgesses of the London borough of Croydon, acting by the council of the borough;

"the Croydon council" means the council of the London borough of Croydon;

"the deposited map" means the map prepared in duplicate, sealed with the official seal of the Minister and marked "Map referred to in the West Kent Main Sewerage Order 1966", of which one duplicate has been deposited and is available for inspection in the offices of the Board and the other in the offices of the Minister;

1875 c. clxiii.
1876 c. lvii.
1877 c. lxviii.
1879 c. lxviii.

"the local Acts and Orders" means the West Kent Main Sewerage Act 1875, the West Kent Main Sewerage (Amendment) Act 1876, the West Kent Main Sewerage (Amendment) Act 1877, the West Kent Main Sewerage (Amendment) Act 1879 and the West Kent Main Sewerage Orders 1886 to 1959 and this order;

"the Minister" means the Minister of Housing and Local Government.

The appointed day.

3.—(1) The appointed day may be fixed by resolution of the Board subject to and in accordance with the provisions of this article.

(2) The Board shall cause to be published in a local newspaper circulating in the London borough of Croydon notice—

(*a*) of the passing of any such resolution and of the day fixed thereby; and

(*b*) of the general effect of the provisions of this order coming into operation as from that day;

and the day so fixed shall not be earlier than the expiration of one month from the date of publication of the said notice.

(3) Either—

(*a*) a copy of any such newspaper containing any such notice; or

(*b*) a photostatic or other reproduction certified by the secretary of the Board to be a true reproduction of a page, or part of a page, of any such newspaper bearing the date of its publication and containing any such notice;

shall be evidence of the publication of the notice and of the date of the publication.

Extension of West Kent district.

4.—(1) The West Kent main sewerage district shall be extended so as to include the parts of the London borough of Croydon described in Schedule 1 to this order.

(2) The Croydon council shall be a constituent authority of the Board.

Election of additional members of Board.

5.—(1) The Croydon council shall be represented upon the Board by three members to be elected by the council from among their members:

Provided that councillors representing wards which, or part of which, are not included in the parts of the London borough of Croydon described in Schedule 1 to this order shall not be qualified to be elected or be entitled to vote at such election.

(2) The Croydon council shall in accordance with paragraph (1) of this article elect the number of members thereby assigned to them to come into office on the appointed day or if elected after that date on their election and subject to the provisions of the local Acts and Orders such members shall hold office until their successors are appointed at the annual meeting of the Croydon council next following the appointed day.

(3) The town clerk of Croydon shall forthwith notify to the secretary of the Board the name and address and occupation of each person elected under this article.

Cancellation of agreements.

6. Subject to the provisions of article 7 of this order and without prejudice to the right of the Board to recover any sum of money due thereunder in respect of any period before the appointed day, the agreements mentioned in column 1 of Schedule 2 to this order shall cease to have effect to the extent specified in column 2 of the said schedule.

For protection of certain authorities and persons.

7.—(1) Nothing in this order shall affect the right of the urban district council of Caterham and Warlingham to discharge sewage from the Hamsey Green area of the urban district into the sewers and works of the Board by way of sewers vested in the Croydon corporation in pursuance of agreements dated 26th July 1934 and 25th July 1955 made between the Board of the first part, the predecessors of the Croydon corporation of the second and third parts and the urban district council of Caterham and Warlingham of the fourth part.

(2) Nothing in this order shall prevent the continued discharge of sewage from the properties in the areas coloured blue on the deposited map and mentioned in Schedule 3 to this order into the sewers and works of the Board by way of sewers vested in the Croydon corporation:

Provided that the terms on which any such sewage is received by the Board from outside the district of the Board shall be agreed between the Board and the said corporation.

Application of enactments.
1875 c. clxiii.
1877 c. lxviii.

8.—(1) Sections 48 (Power for Board and other authorities to enter into arrangements) and 109 (Saving powers of Croydon local board of health) of the West Kent Main Sewerage Act 1875, and section 16 (Power for certain sanitary authorities to avail themselves of the Board's sewers) of the West Kent Main Sewerage (Amendment) Act 1877, shall cease to apply to those parts of the London borough of Croydon described in Schedule 1 to this order.

(2) The expressions "constituent authorities" and "constituent authority" in the local Acts and Orders shall include the council of the London borough of Croydon.

(3) Subject to the provisions of this order the local Acts and Orders as amended shall apply to the Board and to the district of the Board as reconstituted and as extended, respectively, by this order.

SCHEDULES

SCHEDULE 1

PARTS OF THE LONDON BOROUGH OF CROYDON ADDED TO THE DISTRICT OF THE BOARD

(*a*) The parts of the London borough of Croydon which are the subject of agreements dated 3rd October 1930 and 26th April 1934 and made between the Board of the first part and the predecessors of the Croydon corporation of the second and third parts and therein called—

(i) "the Addington area" comprising part of the Addington ward of the borough, coloured yellow on the deposited map; and

(ii) "the Sanderstead area" comprising part of the Sanderstead and Selsdon ward of the borough, coloured purple on the deposited map.

(*b*) That part of the London borough of Croydon which is the subject of an agreement dated 6th February 1957 and made between the Board of the first part and the Croydon corporation of the second part and therein called "the South Norwood area" comprising the

East and Woodside wards and part of South Norwood, Thornton Heath, Addiscombe, Whitehorse Manor, Central and Shirley wards of the borough, coloured pink on the deposited map. SCH. 1 —*cont.*

SCHEDULE 2

AGREEMENTS

1. Particulars of agreement		2. Part of agreement ceasing to have effect
Date	Parties	
3rd October 1930	(1) The West Kent Main Sewerage Board (2) The Mayor, Aldermen and Burgesses of the County Borough of Croydon (3) The Urban District Council of Coulsdon and Purley	The whole
26th April 1934 ...	ditto	The whole
6th February 1957	(1) The West Kent Main Sewerage Board (2) The Mayor, Aldermen and Burgesses of the County Borough of Croydon	The whole, except clauses 5 and 8 (*b*)(i)

SCHEDULE 3

PROPERTIES OUTSIDE THE LONDON BOROUGH OF CROYDON DRAINING TO SEWERS IN THE SOUTH NORWOOD AREA

Elmers End Sports Club, Long Lane, Beckenham.
Randak Tannery, Croydon Road, Elmers End, Beckenham.
Dwellinghouses Nos. 5/21 (odd numbers) and Nos. 2/20 (even numbers), Ash Tree Close, Beckenham.
Dwellinghouses No. 1/6 (consecutive numbers), Fairford Close, Beckenham.
Dwellinghouses Nos. 5/15 (odd numbers) and 14/24 (even numbers), Fairway Close, Beckenham.
Bethlem Hospital (one block), Beckenham.
Dwellinghouses Nos. 32/58 (even numbers), Love Lane, Beckenham.
Dwellinghouses Nos. 67 & 69 and adjoining premises known as workshop and stores, Cambridge Road, Penge.
Dwellinghouses Nos. 35, 48 & 50, Maberley Road, Penge.

PRINTED BY SIR PERCY FAULKNER, K.B.E., C.B.
Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE
Price 1*s.* 0*d.* net
PRINTED IN ENGLAND

(38720)

Ministry of Housing and Local Government Provisional Order Confirmation (West Kent Main Sewerage District) Act 1966

CHAPTER iv

ARRANGEMENT OF SECTIONS

Section

1. Confirmation of order in schedule.
2. Short title.

SCHEDULE

WEST KENT MAIN SEWERAGE DISTRICT

1. Citation and commencement.
2. Interpretation.
3. The appointed day.
4. Extension of West Kent district.
5. Election of additional members of Board.
6. Cancellation of agreements.
7. For protection of certain authorities and persons.
8. Application of enactments.

SCHEDULES:

Schedule 1—Parts of the London borough of Croydon added to the district of the Board.

Schedule 2—Agreements.

Schedule 3—Properties outside the London borough of Croydon draining to sewers in the South Norwood area.