STATUTORY INSTRUMENTS

1973 No. 577

PUBLIC HEALTH, ENGLAND AND WALES

The Seaton Burn Valley Joint Sewerage Order 1973

Made - - - 23*rd March* 1973

Coming into Operation 30*th March* 1973

The Secretary of State for the Environment, in exercise of powers conferred by section 9(2) of the Public Health Act 1936(**a**) and now vested in him(**b**) and of all other powers enabling him in that behalf hereby orders as follows:—

Citation and commencement.

1. This order may be cited as the Seaton Burn Valley Joint Sewerage Order 1973 and shall come into operation on 30th March 1973.

(2) The Seaton Burn Valley Joint Sewerage Orders 1927 to 1958 and this order may be cited together as the Seaton Burn Valley Joint Sewerage Orders 1927 to 1973.

Interpretation.

2.—(1) The Interpretation Act 1889(**c**), shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

(2) In this order, unless the context otherwise requires—

"the Castle Ward council" means the rural district council of Castle Ward;

"enactment" means any Act of Parliament or any order made under an Act of Parliament or any provision in any such Act or order;

"the Joint Board" means the Seaton Burn Valley Joint Sewerage Board;

"the map" means the map prepared in duplicate, signed by an Under Secretary in the Department of the Environment and marked "Map referred to in the Seaton Burn Valley Joint Sewerage Order 1973", of which one duplicate is deposited and available for inspection at the offices of the clerk of the Joint Board and the other at the offices of the Secretary of State for the Environment;

"the principal order" means the Seaton Burn Valley Joint Sewerage Order 1927(**d**);

"the united district" means the Seaton Burn Valley Joint Sewerage District.

(**a**) 1936 c. 49.
(**b**) S.I. 1951/142, 1900, 1970/1681 (1951 I, pp. 1348, 1347; 1970 III p. 5551).
(**c**) 1889 c. 63.
(**d**) Confirmed by 1927 c. xl.

[DOE 11482]

(3) Unless the context otherwise requires, references in this order to any enactment are references to that enactment as amended by any subsequent enactment, including this order.

Alteration of united district.

3. The united district shall be altered so as to include so much of the rural district of Castle Ward as is shown coloured green on the map.

Schedule to principal order replaced.

4. For the Schedule to the principal order (which contains the names of constituent districts and the number of members to be elected from each such district) there shall be substituted the Schedule to this order.

5. The provisions of article 22 of the principal order shall apply to the first election of members by the Castle Ward council as if the election related to the filling of vacancies occurring at the commencement of this order.

6. The principal order shall be amended by substituting for article 16 thereof the following:—

"Common Fund of Joint Board.

16.—(1) Any expenses incurred by the Joint Board shall be defrayed out of a common fund to which all the receipts of the Joint Board shall be carried.

(2) For the purpose of defraying the revenue expenses of the Joint Board not otherwise provided for precepts shall be issued by the Joint Board in respect of each year to each constituent authority requiring them to pay by way of two equal instalments on 1st May and 1st November in each year a contribution to the common fund based on the proportion which the rateable value of the constituent district bears to the aggregate of the rateable values of all the constituent districts.

(3) Any contribution or sum mentioned in a precept issued under this article by the Joint Board to a constituent authority shall be a debt due from that authority and may be recovered accordingly without prejudice however, to the right of the Board to exercise any powers conferred upon them by section 15 of the General Rate Act 1967(a).

Joint Board may charge for reception etc of trade effluent.

16A.—(1) The Joint Board may make a reasonable charge upon a constituent authority for the reception and disposal of any trade effluent received into a main sewer from a sewer of the authority, regard being had to the nature and composition and to the volume and rate of discharge of the trade effluent so discharged, to any additional expense incurred or likely to be incurred by a constituent authority in connection with the reception or disposal of the trade effluent, and to any revenue likely to be derived by a constituent authority from the trade effluent.

(2) Any question whether any charge made under subsection (1) hereof is reasonable may be referred to arbitration in the manner provided by article 30 of this order.

(a) 1967 c. 9.

Payment of charges.

16B.—(1) Each constituent authority shall on or before 30th April 1973 and on that date in each subsequent year submit to the Joint Board a statement showing the number of gallons of each trade effluent discharged from their sewers into any main sewer during the period of 12 months ending on the last preceding 31st March and shall within 28 days from demand made therefor by the Board pay to the Board such sums as may be due in respect thereof in accordance with the charges made in pursuance of the last preceding article.

(2) In this and the last preceding article, "trade effluent" has the same meaning as it has in the Public Health (Drainage of Trade Premises) Act 1937(a).".

Contributions by Castle Ward council.

7. The Castle Ward council shall pay to the Joint Board, not later than the first day of April 1973, the sum of £55,500 by way of financial adjustment consequent upon becoming a constituent authority of the Joint Board.

Property and liabilities.

8. All property or liabilities vested in or attaching to the Joint Board shall be held or discharged by the Joint Board for the benefit or in respect of the united district as altered by this order.

Compensation to officers.

9.—(1) Every officer in office at the date of the making of this order who by virtue of this order or of anything done in pursuance or consequence thereof suffers any direct pecuniary loss by reason of the determination of his appointment or the diminution of his emoluments and for whose compensation for that loss or any part thereof, no other provision is made by any enactment or any other statutory order for the time being in force shall be entitled to compensation under this order for that loss, or for that part thereof, as the case may be.

(2) Any compensation payable under this article shall be awarded and paid by the Joint Board and the claim for compensation shall be made by the officer accordingly.

(3) For the purpose of the determination and payment of compensation to officers under this article the provisions set out in Schedule 4 to the Local Government Act 1933(b) are hereby incorporated with this order.

(a) 1937 c. 40.

(b) 1933 c. 51.

SCHEDULE

Constituent districts	Constituent authorities	Ex-officio members		Elective members
		Number	Description	
So much of the borough of Blyth as is coloured grey on the map	The council of the borough of Blyth	1	The mayor	2
So much of the rural district of Castle Ward as is coloured green on the map	The rural district council of Castle Ward	1	The chairman of each district council	2
So much of the urban district of Longbenton as is coloured brown on the map	The urban district council of Longbenton	1		2
So much of the urban district of Seaton Valley as is coloured red on the map	The urban district council of Seaton Valley	1		2
So much of the borough of Whitley Bay as is coloured yellow on the map	The council of the borough of Whitley Bay	1	The mayor	2

Signed by authority of
the Secretary of State
23rd March 1973

J. E. Beddoe,
An Under Secretary
in the Department
of the Environment

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