CHAPTER lix.

An Act to increase the number of the members of the Council of the Borough of Saint Helens in the County of Lancaster to alter the boundaries of certain of the existing wards of the borough and to create new wards and for other purposes. A.D. 1889.

[5th July 1889.]

WHEREAS the borough of Saint Helens in the county of Lancaster is a municipal borough under the government of the mayor aldermen and burgesses of the borough (in this Act called the Corporation) and the Corporation are also the urban sanitary authority for the borough and the borough is one of the county boroughs constituted by the Local Government Act 1888:

And whereas by the Royal Charter incorporating the borough and dated the fifth day of March in the thirty-first year of the reign of Her present Majesty (1868) it was declared that the council of the borough should consist of a mayor six aldermen and eighteen councillors and that the borough should be divided into six wards respectively called Eccleston ward Hardshaw ward Parr ward East Sutton ward West Sutton ward and Windle ward and that each of the said wards should elect three councillors:

And whereas since the date of the said charter the population and rateable value of the borough has greatly increased and in some of the wards to a greater extent than in others and it is expedient that the number of members of the council should be increased that the boundaries of East Sutton ward and West Sutton ward should be altered and that the area of the Eccleston ward and Windle ward should be divided into five new wards:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

And whereas an absolute majority of the whole number of the council at a meeting held on the thirtieth day of October one thousand eight hundred and eighty-eight after ten clear days notice by public advertisement of the meeting and of the purpose thereof in the Saint Helens Newspaper and Advertiser a local newspaper

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published or circulating in the borough such notice being in addition to the ordinary notices required for summoning that meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund or rate:

And whereas that resolution was published twice in the said Saint Helens Newspaper and Advertiser and has received the approval of one of Her Majesty's Principal Secretaries of State:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the sixth day of February one thousand eight hundred and eighty-nine not less than fourteen days after the deposit of the Bill for this Act in the Offices of the Houses of Parliament:

And whereas the owners and ratepayers of the borough by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act:

May it therefore please Your Majesty that it may be enacted and be it 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 (that is to say):—

Short title.

1. This Act may be cited for all purposes as the Saint Helens Corporation Act 1889.

Commencement of Act.

2. For the purposes of the redivision of the borough into wards and of all proceedings preliminary to the ordinary municipal elections of the year one thousand eight hundred and eighty-nine this Act shall come into operation on its passing and for all other purposes shall come into operation on the first day of November one thousand eight hundred and eighty-nine.

Interpretation.

3. In this Act and for the purposes thereof the expression "the borough" means the municipal borough of Saint Helens in the county of Lancaster "the Corporation" means the mayor aldermen and burgesses of the borough and "the council" means the council of the borough.

Execution of Act.

4. This Act shall (subject to the provisions thereof) be carried into execution by the Corporation acting by the council with all the powers privileges duties and obligations of the Corporation and of the council and of their officers conferred or imposed by the Municipal Corporations Act 1882.

Number of councillors and aldermen.

5. The number of councillors for the borough shall be twenty-seven and the number of aldermen shall be nine.

Number of wards in borough.

6. The borough shall be divided into nine wards with the names and boundaries set forth in the schedule to this Act.

Deposit of ward plan.

7. (1) A plan of the wards of the borough signed in duplicate by the Right Honourable Albert Edmund Earl of Morley Chairman of Committees of the House of Lords (in this Act called the ward plan) shall within two weeks after the passing of this Act be deposited as to one part in the Parliament Office of the House of Lords and as to the other part with the town clerk at his office and copies thereof certified by the town clerk shall be sent as soon as may be after such deposit to the Director General of Her Majesty's Ordnance Survey and to the Local Government Board.

(2) In the event of any discrepancy between the description of the boundaries of the wards in the schedule to this Act and in the said plan the description in the schedule shall prevail.

Certified copies of ward plan to be evidence.

8. Copies of the ward plan or any extract therefrom certified by the town clerk to be true shall be received in the Supreme Court of Judicature and in all other courts and proceedings as primâ facie evidence of the contents of such plan and such plan shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any person shall be entitled to a copy of or extract from such plan certified by the town clerk on payment of a reasonable fee for every such copy or extract All sums received under this section shall be carried to the credit of the borough fund.

Appointment of councillors.

9. (1) Previous to the first day of November one thousand eight hundred and eighty-nine the council as then constituted shall by resolution apportion the councillors for the existing wards of Eccleston and Windle so far as their numbers will admit amongst the five new wards created by this Act and so as to provide as far as practicable for each councillor continuing to represent his former constituents and every such councillor shall hold his office in the ward to which he shall be so assigned for the same period as he would have held such office if the existing wards of the borough had remained unaltered.

(2) The council shall also previous to the last-mentioned day by resolution assign an alderman or councillor to each of the new wards to act as returning officer in respect of such wards.

(3) The existing councillors for the East Sutton ward and the West Sutton ward shall continue to represent those wards respectively notwithstanding the alteration of the boundaries of those wards and for the same periods respectively as they would have held office if this Act had not been passed.

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(4) At the elections to be held in any ward on the first day of November one thousand eight hundred and eighty-nine in which more councillors than one are required to be elected to complete the number of three councillors for such ward so many additional councillors shall be elected as shall be necessary to complete that number.

(5) Subject as aforesaid the order of retirement among the councillors elected for any ward shall be determined by agreement among themselves or in default of agreement by the council who shall also determine any other difference or doubt arising under the provisions of this section.

Further provision as to elections, &c.

10. Anything to be done under the provisions of the Municipal Corporations Act 1882 the Ballot Act 1872 and any other Act or Acts in relation to elections and other matters incidental thereto or by the mayor or aldermen or town clerk in relation to each of the new or altered wards before the first day of November one thousand eight hundred and eighty-nine may be done in like manner as if such wards were and had been wards of the borough existing at the time of the passing of this Act.

Election of aldermen.

11. In regard to the election and rotation of aldermen the following provisions shall apply :—

(1) On the ninth day of November one thousand eight hundred and eighty-nine the council shall in addition to the aldermen to be elected in the place of those retiring by rotation elect two aldermen to hold office for six years and one alderman to hold office for three years.

(2) On the ninth day of November one thousand eight hundred and ninety-two being the next ordinary day for the election of aldermen the alderman so elected for three years together with the three aldermen who would in the ordinary course retire on that day shall go out of office and their places shall be filled by election.

(3) On the ninth day of November one thousand eight hundred and ninety-five the five remaining aldermen shall go out of office and their places shall be filled by election.

(4) And in future in lieu of the provisions of the Municipal Corporations Act 1882 (section 14 (6)) requiring one half of the whole number of aldermen to go out of office on the ordinary day of election four aldermen shall go out of office every alternate third year and five every other alternate third year and their places shall on each occasion be filled by election.

(5) If any doubt arises as to which alderman or aldermen should go out of office at the various dates the doubt shall be determined by resolution of the council.

Municipal Corporations Act to apply to all elections, &c.

12. Subject to the provisions of this Act all elections vacations of office and rotations of the aldermen and councillors shall be governed and regulated by the Municipal Corporations Act 1882.

Costs of Act.

13. The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act shall be paid by the Corporation out of the borough fund and borough rate.

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The SCHEDULE to the foregoing Act.

NAMES AND DESCRIPTIONS OF WARDS.

Central Ward.

This ward shall comprise all that part of the borough which lies in the townships of Eccleston and Windle and is bounded by a line drawn from the common boundary of the townships of Eccleston and Sutton at the point where such boundary is crossed by the Eccleston branch of the London and North-western Railway and running along the centres of the said branch railway and of the following streets viz. :—Phythian Street and Liverpool Road to its junction with Westfield Street Westfield Street Ormskirk Street Church Street Raven Street and Warrington Old Road to the Hardshaw Brook and thence by the common boundary of the townships of Windle and Sutton and by continuation the common boundary of the townships of Eccleston and Sutton to the before-named point.

North Eccleston Ward.

This ward shall comprise all that part of the borough which lies in the townships of Eccleston and Windle and is bounded by a line drawn from the north-westerly boundary of the borough at the point where such boundary is crossed by the Windle Brook and running along the centres of the said brook to Westfield Street and of the following streets viz. :—Westfield Street Eccleston Street and Knowsley Road to the borough boundary at the junction of the said Knowsley Road with Dunriding Lane and thence by the borough boundary to the before-named point.

South Eccleston Ward.

This ward shall comprise all that part of the borough which lies in the township of Eccleston and is not included in the Central North Eccleston and South Windle wards.

Hardshaw Ward.

The present boundaries of the existing Hardshaw ward shall continue to be the boundaries of this ward that is to say this ward shall comprise all that part of the borough which lies within the townships of Parr and Windle and is bounded by a line drawn from the common boundary of the townships of Parr and Windle at the point of the junction of Warrington New Road with Raven Street and running along the centres of the following streets and brooks viz. :—Raven Street Church Street Ormskirk Street to Baldwin Street Baldwin Street to College Street College Street Gerrard's Street to the Rainford Brook

the Rainford Brook to Merton Bank Road Merton Bank Road Park Road Higher Parr Street to Ashcroft Street Ashcroft Street to Ashcroft Bridge the Sankey Brook to the junction of the Hardshaw and Sutton Brooks and thence by the common boundary of the townships of Parr and Sutton and by continuation the common boundary of the townships of Parr and Windle to the before-named point.

Parr Ward.

The present boundaries of the existing Parr ward shall continue to be the boundaries of this ward that is to say this ward shall comprise all that part of the borough which lies in the township of Parr and is not included in the Hardshaw ward.

East Sutton Ward.

The East Sutton ward shall comprise all that part of the borough which lies in the township of Sutton and is bounded by a line drawn from the common boundary of the townships of Parr and Sutton at a point where the Sutton Brook crosses such boundary to the boundary of the borough near Clockface and running along the centres of the following streets viz.:—Ramford Street or Dark Lane Sutton Road Marshall's Cross Road and Damhouse Brow.

West Sutton Ward.

The West Sutton ward shall comprise all that part of the borough which lies in the township of Sutton and is not included in the East Sutton ward.

North Windle Ward.

The North Windle ward shall comprise all that part of the borough which lies in the township of Windle and is bounded by a line drawn from the borough boundary at a point where it is crossed by the Windle Brook and running along the centres of the said brook as far as Boundary Road and of the following streets viz.:—Boundary Road to Cowley Hill Lane Cowley Hill Lane to Cooper Street Cooper Street across Oldfield Street Peel Street and thence by the boundaries of Hardshaw and Parr wards to the borough boundary.

South Windle Ward.

The South Windle ward shall comprise all that part of the borough which lies in the townships of Windle and Eccleston and is not included in the Central North and South Eccleston Hardshaw and North Windle wards.

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