



CHAPTER xcvi.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Chester Orsett Joint Hospital Board Wallasey and Wolverhampton. [4th August 1922.]

A.D. 1922.

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.

38 & 39 Viet.
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 as amended and 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. 10) Act 1922.

Short title.

A.D. 1922.

SCHEDULE.

CITY OF CHESTER.

*Chester
Order.*

*Provisional Order for altering the Chester Improvement
Act 1884.*

WHEREAS the City of Chester (hereinafter referred to as "the City") is an Urban Sanitary District of which the 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 there are in force in the City the unrepealed provisions of the Chester Improvement Act 1884 (hereinafter referred to as "the Local Act");

And whereas by Section 150 of the Local Act it was provided that the powers of the Corporation to license and make byelaws in respect of certain matters mentioned in Section 172 of the Public Health Act 1875 and the byelaws made by the Corporation under the Local Government Act (1858) Amendment Act 1861 should be extended so as to apply to the additional matters mentioned in the said Section 150 and within the limits comprising the part of the River Dee within the City and the part of the said River extending from the City boundary to the iron bridge at Aldford;

And whereas by the said Section 150 the Corporation were empowered to remove dangerous stakes or casual obstructions within the said parts of the River Dee;

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order 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 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 Local Act shall be partially repealed altered or amended so that the following provisions shall take effect that is to say:—

1. The Local Act and this Order shall be read together and shall be construed as if they formed one Act.

Construction of
Local Act and
this Order.

[12 & 13 GEO. 5.] *Ministry of Health* [Ch. xcvi.]
Provisional Orders Confirmation (No. 10) Act, 1922.

2. This Order shall be limited in its operation to that portion of the River Dee which is situate between Dee bridge within the City and the iron bridge at Aldford and the provisions of Section 150 of the Local Act shall have effect only within the said limits.

A.D. 1922.

*Chester
Order.*

Limits of
Order and
Local Act.

3.—(1) The provisions of Section 150 of the Local Act shall extend to all boats or vessels let out or plying for hire or reward to the boatmen or other persons in charge thereof and to any landing stages or pontoons used for embarking or disembarking in connection with boats or vessels so let out or plying for hire.

Licensing
boats landing
stages &c.

(2) No person shall for hire or reward let out or ply with any boat or vessel or act as the boatman or other person in charge or provide or maintain any landing stage or pontoon for use in embarking or disembarking in connection with boats or vessels let out or plying for hire unless he shall have obtained a license from the Corporation and any person failing to comply with the provision of this subdivision shall be deemed guilty of an act or omission within the meaning of Section 177 of the Local Act and liable to the penalties imposed by that Section.

4.—(1) The power of making byelaws conferred upon the Corporation by Section 150 of the Local Act shall extend to the following matters viz :—

Byelaws.

- (a) Prescribing mooring places for boats or vessels whether or not let for hire and prohibiting the mooring of boats or vessels in places other than those so prescribed ;
- (b) Prescribing charges for the use of mooring places provided by the Corporation ;
- (c) Regulating the dimensions of landing stages or pontoons extending into the river and constructed or enlarged after the date of this Order ;
- (d) Prohibiting the use of boats or vessels which cause a higher wave or wash than shall be specified in the byelaws when tested in such place and manner and under such conditions as shall be determined by the byelaws ;
- (e) Prohibiting any boat or vessel which has not been used for a period specified in the byelaws from being longer moored in the river.

(2) If the Corporation shall have made and the Minister of Health confirmed any byelaws under paragraph (e) of subdivision (1) of this Article the Corporation may after the expiration of the period specified in such byelaws by notice in writing addressed to the owner of any boat or vessel to which

[Ch. xcvi.] *Ministry of Health* [12 & 13 GEO. 5.]
Provisional Orders Confirmation (No. 10) Act, 1922.

A.D. 1922.

*Chester
Order.*

such byelaws apply require him to remove the same at the expiry of a period not being less than fourteen days from the date of the said notice and if he does not do so may cause it to be removed and a Court of Summary Jurisdiction may on complaint by order authorise the Corporation to sell the same by public auction.

(3) The proceeds of sale of any boat or vessel sold under the powers given by subdivision (2) of this Article after deducting the expenses incurred by the Corporation in the removal and sale of the same shall constitute a debt due from the Corporation to the owner

(4) Nothing in this Article or any byelaws made thereunder shall—

- (a) limit the right of any person to attach or allow to be attached any boat or vessel belonging to him or to any person having business with him to the bank of the River forming part of property occupied by him or to a landing stage or pontoon used therewith ;
- (b) authorise the Corporation to prescribe any mooring place by attachment from or so as to prevent access to the property of persons other than the Corporation without the consent in writing of the owner and occupier thereof.

Removal of
obstructions.

5. The power of removing stakes or casual obstructions conferred upon the Corporation by Section 150 of the Local Act shall extend to empower them—

- (a) by written notice to the owner of land from which trees or bushes overhang or abut upon the River Dee and are dangerous or obstructive to the users thereof to require the removal cutting lopping or supporting of such trees or bushes ; and
- (b) on failure of such owner to comply with the requirements of the notice within the time specified therein (not being less than fourteen days after the service of the notice) to enter upon the said land and do the work required by the notice.
- (c) Any person aggrieved by any requirement of the Corporation under this Article may appeal to a Court of Summary Jurisdiction within seven clear days after the service of such notice provided he gives written notice of such appeal and the grounds thereof to the Town Clerk and the Court shall have power to make such order as the Court may think fit and to award costs such costs to be recoverable as a civil debt Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this Article.

[12. & 13 GEO. 5.] *Ministry of Health* [Ch. xcvi.]
Provisional Orders Confirmation (No. 10) Act, 1922.

6. Any notice which in pursuance of this Order is required to be given by the Corporation to any person may be served by sending the same by post as a registered letter to or leaving it at the usual or last known address or place of business of that person or by delivery of the same personally to him or if this cannot be done by advertising the same on two successive occasions in the local press.

A.D. 1922.

*Chester
Order.*

Mode of
serving
notice.

7.—(1) The Minister of Health may direct any inquiries to be held by his inspectors which he may deem necessary with reference to the purposes of the Local Act and this Order and such inspectors shall for the purposes of any inquiry have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

Inquiries and
expenses.

(2) Where the Minister causes any such inquiry as aforesaid to be held the costs incurred by the Minister in relation to that inquiry (including such sum not exceeding five guineas a day as the Minister may determine for the services of any inspector or officer of the Minister engaged in the inquiry) shall be paid by the Corporation and the Minister may certify the amount of the costs so incurred and any sum so certified and directed by the Minister to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

8. Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Crown
Rights.

9. This Order may be cited as the Chester Order 1922.

Short title.

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

(L.S.)

F. L. TURNER
Assistant Secretary Ministry of Health.

[Ch. xcvi.] *Ministry of Health* [12 & 13 GEO. 5.]
Provisional Orders Confirmation (No. 10) Act, 1922.

A.D. 1922.

ORSETT JOINT HOSPITAL DISTRICT.

*Orsett
Order.*

*Provisional Order for altering the Local
Government Board's Provisional Orders Confirmation
(No. 8) Act, 1901.*

WHEREAS by virtue of the Orsett Joint Hospital Order 1901 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1901 (which Order and Act are hereinafter respectively referred to as "the Order of 1901" and "the Confirming Act") as modified and adapted by an Order of the Local Government Board entitled the Orsett Joint Hospital Order 1912 (hereinafter referred to as "the adapting Order") the Urban Districts of Grays Thurrock and Tilbury and the Rural District of Orsett constitute a United District called the Orsett Joint Hospital District of which the governing body is the Orsett Joint Hospital Board (hereinafter referred to as "the Joint Board");

And whereas the Joint Board consists of three ex-officio members and nine elective members representing the Councils of the Urban and Rural Districts aforesaid;

And whereas it is expedient that the representation of the said Councils on the Joint Board be altered so that an additional member be elected to represent the Urban District Council of Tilbury;

Now therefore the Minister of Health in pursuance of the powers given to him by Section 297 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 Confirming Act so far as it relates to the Order of 1901 shall be altered so that the following provisions shall take effect that is to say:—

Increase in
number of
elective
members.

1.—(1) The number of elective members on the Joint Board shall be increased from nine to ten the additional member being elected by the Urban District Council of Tilbury.

(2) The Order of 1901 as altered by the adapting Order shall have effect as if in Column 4 of Schedule A to the adapting Order the figure "2" were substituted for the figure "1" opposite to the name of the Urban District of Tilbury.

First election
of additional
elective
member.

2. The provisions of Article X. of the Order of 1901 shall apply to the first election of the additional member to be elected in pursuance of this Order as if the election related to the

[12 & 13 GEO. 5.] *Ministry of Health* [Ch. xcvi.iii.]
Provisional Orders Confirmation (No. 10) Act, 1922.

filling of a vacancy occurring on the date of the Act of Parliament confirming this Order.

A.D. 1922.

*Orsett
Order.*

Short title.

3. This Order may be cited as the Orsett Joint Hospital Order 1922 and the Order of 1901 the adapting Order and this Order may be cited together as the Orsett Joint Hospital Orders 1901 to 1922.

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

(L.S.)

F. L. TURNER

Assistant Secretary Ministry of Health.

BOROUGH OF WALLASEY.

*Provisional Order for altering the Wallasey
Improvement Act 1872.*

*Wallasey
Order.*

WHEREAS the Borough of Wallasey (hereinafter referred to as "the Borough") is an urban sanitary 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 whereas by virtue of the Wallasey Improvement Act 1845 and the Wallasey Improvement Act 1872 (hereinafter referred to as "the Act of 1872") and certain other Local Acts and Provisional Orders confirmed by Act of Parliament the Seacombe Ferry and the Egremont Ferry with the works connected therewith are vested in and worked and managed by the Corporation ;

And whereas by the Act of 1872 certain powers were conferred on the predecessors of the Corporation with reference to the construction of works in connection with the said ferries ;

And whereas the Corporation have applied to the Minister of Health for the issue of a Provisional Order to alter or amend the Act of 1872 in 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 Act of 1872 shall be altered

[Ch. xcvi.] *Ministry of Health* [12 & 13 GEO. 5.]
Provisional Orders Confirmation (No. 10) Act, 1922.

A.D. 1922.

—
Wallasey
Order.
Interpreta-
tion.

and amended so that the following provisions shall take effect that is to say:—

1. In this Order—

“The Acting Conservator” means the Acting Conservator for the time being of the River Mersey;

“The Board” means the Mersey Docks and Harbour Board;

“The Pier Works” means the enlargement extension alteration improvement and reconstruction of the Seacombe Pier and Landing Stage by this Order authorised;

“The signed plan” means the plans and drawings which have been deposited with the Acting Conservator in connection with this Order and signed by him together with the plan numbered T. 21 hereinafter referred to.

Improve-
ment of Sea-
combe Pier.

2. Notwithstanding anything contained in the Act of 1872 or any other Act or Order the Corporation may enlarge extend alter improve and reconstruct the Seacombe Pier and Landing Stage in accordance with the lines and levels and in the manner shown or indicated on the signed plan.

Certain
works in
connection
with Egremont Pier to
be deemed
authorised
by the
recited Acts.

3. The works executed by the Corporation in connection with the enlargement extension alteration improvement and reconstruction of the Egremont Pier for which a loan of ten thousand pounds was sanctioned by the Local Government Board on the Seventh day of December One thousand nine hundred and nine shall be deemed to have been duly authorised by the recited Acts.

Application
of provisions
of Local
Acts.

4. Section 10 of the Wallasey Improvement Act 1864 shall with the necessary modifications extend and apply to the works authorised by this Order as if such section was re-enacted herein.

For protec-
tion of
River
Mersey.

5. Notwithstanding anything in this Order the following provisions for the protection of the River Mersey shall unless otherwise agreed between the Corporation and the Acting Conservator have effect (that is to say):—

(1) The Pier Works shall be constructed in accordance with the lines and levels and in the manner shown or indicated on the signed plan:

(2) The piles and other supports to be erected for the purpose of carrying or protecting parts of the Pier Works shall not be larger than and shall be erected on the same centre lines as the piles and other supports carrying the existing Pier and landing stage:

A.D. 1922.

*Wallasey
Order.*

- (3) The upper surface of the concrete foundations for carrying the outer pontoons of the floating roadway which is intended to be constructed as part of the Pier Works shall not be higher than the level of the present bed of the river and if owing to tidal scour or any other cause the said foundations become an obstruction to the flow of the river the Corporation on being required so to do by the Acting Conservator shall alter the foundations in such manner as may be required by the Acting Conservator :
- (4) The moorings to be constructed or placed in connection with the Pier Works shall be constructed or placed only in the positions shown upon the plan marked T. 21 and forming part of the signed plan . Provided that if any such mooring becomes in the opinion of the Acting Conservator at any time an obstruction to the navigation of the River the Corporation shall remove the mooring and make such other arrangements for the mooring of the stage as may be required by the Acting Conservator subject to the provisions of this Order :
- (5) The Corporation shall not under the powers of this Order or under any enactment applied to this Order dredge any part of the bed or the foreshore of the River for the purposes of or in connection with the Pier Works other than the area coloured brown on the said plan No. T. 21 and in that area shall dredge only to such depth as shall be approved in writing by the Acting Conservator :
- (6) Any temporary structures required to be placed or erected upon the bed or foreshore of the River in connection with the Pier Works shall be placed or erected only in such position and for such periods and in accordance with such plans and drawings as may be previously approved by the Acting Conservator and so as not to interfere more than is necessary with the tidal flow and scour of the river . After the purposes of any such structure have been accomplished the Corporation shall forthwith remove such structure and the materials thereof :
- (7) The Pier works and all works in connection therewith whether temporary or permanent shall be constructed to the satisfaction of the Acting Conservator who shall at all reasonable times by himself or by any person authorised by him have the right to enter upon any part of the works :

[Ch. xcvi.] *Ministry of Health* [12 & 13 GEO. 5.]
Provisional Orders Confirmation (No. 10) Act, 1922.

A.D. 1922.

*Wallasey
Order.*

- (8) If any works shall be executed or maintained by the Corporation contrary to the provisions of this Order the said provisions may at the instance of the Acting Conservator be enforced by writ of mandamus or such other proceedings as may in the circumstances be appropriate:
- (9) Nothing in this Order shall take away alter or prejudicially affect any power jurisdiction or authority of the Minister of Transport as successor to the Commissioners for the Conservancy of the River Mersey.

For the protection of the Mersey Docks and Harbour Board.

6. Notwithstanding anything in this Order the following provisions for the protection of the Board shall unless otherwise agreed between the Corporation and the Board have effect that is to say:—

- (1) No deviation or alteration from the lines and levels of or the manner of constructing the Pier Works as shown on the signed plan shall be made by the Corporation:
- (2) Any mooring attached to any part of the Board's River Wall or constructed or placed on the foreshore or bed of the River in front of the River Wall shall be attached constructed or placed in a manner approved by the Board. If in the opinion of the Board any one or more of such moorings so attached constructed or placed on the foreshore or bed of the River in front of the River Wall obstructs or interferes with the development of the Board's property or the access thereto the Corporation shall on receiving notice in writing from the Board requiring them so to do remove those moorings and make such other arrangements for the mooring of the stage as may be approved by the Board:
- (3) The Board and any person duly authorised by them may at all reasonable times enter upon any part of the Pier works for the purpose of surveying the River Mersey:
- (4) Paragraph 3 of Article 5 of this Order shall extend and apply for the protection of the Board as if the Board were referred to therein instead of the Acting Conservator. Provided that any alteration of the upper surface of the concrete foundation mentioned in that paragraph which may be required by the Board shall require to be approved by the Acting Conservator:
- (5) If any works shall be executed or maintained by the Corporation contrary to the provisions of this Order the said provisions may at the instance of the Board

[12 & 13 GEO. 5.] *Ministry of Health* [Ch. xcvi.]
Provisional Orders Confirmation (No. 10) Act, 1922.

be enforced by writ of mandamus or such other proceedings as may in the circumstances be appropriate:

A.D. 1922.

- (6) Nothing in this Order shall take away alter or prejudicially affect any power jurisdiction or authority of the Board.

—
Wallasey
Order.

7. Subject to the provisions of this Order any of the Pier Works to be constructed on over or under tidal lands below high-water mark of ordinary spring tides shall be constructed only in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board of Trade in writing under the hand of one of the Secretaries or Assistant Secretaries of the Board of Trade and by the Minister of Transport under the hand of the Acting Conservator:

Works below high-water mark to be subject to approval of Board of Trade.

Any alteration or extension of any such works shall be subject to the like approval.

If any such work be commenced or completed contrary to the provisions of this Section the Board of Trade or the Minister of Transport may abate and remove the same and restore the site thereof to its former condition at the cost of the Corporation and the amount of such cost shall be a debt due from the Corporation to the Crown and shall be recoverable as a Crown debt or summarily.

8. If at any time the Board of Trade the Minister of Transport or the acting Conservator acting on his behalf deems it expedient for the purposes of this Order to order a survey and examination of a work constructed by the Corporation on in over through or across tidal lands or tidal water or of the intended site of any such work the Corporation shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Corporation to the Crown and be recoverable as a Crown debt or summarily.

Survey of works by Board of Trade.

9. The Corporation shall at the outer extremity of the Pier Works below high-water mark exhibit and keep burning from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House Deptford Strond shall from time to time direct. If the Corporation fail to comply in any respect with the provisions of this Article they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Permanent lights on works.

10. The Corporation shall at or near the Pier Works below high-water mark during the whole time of the extending altering improving and reconstructing the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) and take such other steps for the

Lights on works during construction.

[Ch. xcvi.] *Ministry of Health* [12 & 13 GEO. 5.]
Provisional Orders Confirmation (No. 10) Act, 1922.

A.D. 1922.

—
*Wallasey
Order.*

prevention of danger to navigation as the Board of Trade and the Minister of Transport from time to time require or approve.

If the Corporation fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Provision
against
danger to
navigation.

11. In case of injury to or destruction or decay of the pier or works or any part thereof the Corporation shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that Corporation for directions as to the means to be taken and the Corporation shall be liable to a penalty not exceeding Ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Abatement
of work
abandoned
or decayed.

12. If a work constructed by the Corporation on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade or the Minister of Transport may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Corporation and the amount of such expense shall be a debt due from the Corporation to the Crown and be recoverable as a Crown debt or summarily.

Crown rights.

13. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained shall authorise the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Short title.

14. This Order may be cited as the Wallasey Order 1922.

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

(L.S.)

F. L. TURNER
Assistant Secretary Ministry of Health.

BOROUGH OF WOLVERHAMPTON.

A.D. 1922.

*Provisional Order for partially repealing altering
and amending certain Local Acts and Confirming Acts.*

*Wolver-
hampton
Order.*

WHEREAS the Borough of Wolverhampton (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 whereas the Local Acts specified in columns 1 and 2 of Part I. of the Schedule to this Order and the Orders specified in column 2 of Part II. of that Schedule (which were confirmed by the Acts mentioned in column 1 of that Part of the Schedule) contain provisions for the establishment for the Borough of an improvement fund and for the assessment and collection throughout the Borough of a rate called the improvement rate from which certain expenses of the Corporation are defrayed ;

And whereas it is proposed that all the expenses of the Corporation should be defrayed out of the borough rate levied under the Municipal Corporations Act 1882 and 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 alter or amend the Local Acts and Confirmation Acts specified in the Schedule to this Order 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 Local Acts and Confirmation Acts aforesaid shall be partially repealed altered and amended so that the following provisions shall take effect that is to say :—

1. This Order shall come into operation on the First day of April One thousand nine hundred and twenty-three.

Date of
operation of
Order.

2. The enactments mentioned in Part I. of the Schedule to this Order shall be repealed to the extent specified in column 3 of that Part and the Confirmation Acts and Orders mentioned in Part II. of the Schedule to this Order shall be repealed to the extent specified in column 3 of that Part.

Repeal of
Local Acts
and Con-
firmation
Acts.

[Ch. xcvi.] *Ministry of Health* [12 & 13 GEO. 5.]
Provisional Orders Confirmation (No. 10) Act, 1922.

A.D. 1922.

—
Wolver-
hampton
Order.

Abolition of
improve-
ment fund
and rate.

3.—(1) All expenses of the Corporation which if this Order had not been made would have been payable out of the improvement fund or improvement rate of the Borough shall be charged on and defrayed out of the borough fund and the borough rate of the Borough and in any case for which no specific provision is made in this Order any reference to the improvement fund or improvement rate in any Local Act or Provisional Order in force in the Borough shall be deemed to be a reference to the borough fund and the borough rate.

(2) The improvement fund of the Borough shall be closed and any balance which on the Thirty-first day of March One thousand nine hundred and twenty-three is standing to the credit or to the debit of the said fund shall from and after that date 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 shall notwithstanding the provisions of this Order 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.

Assessment
of certain
properties
to borough
rate.

4. The following provisions shall have effect with respect to borough rates (which expression shall include any part of a poor rate which may be made by the Overseers of the Township of Wolverhampton for the purpose of paying the contributions of the Township to the borough rate) to be made and levied in the Borough that is to say—

(1) The owner of any tithes or of any tithe commutation rentcharge and the occupier of any land used as arable meadow or pasture ground only or as woodlands market gardens or nursery grounds and the occupier of any land covered with water or used only as a canal or towing path for the same or as a railway constructed or used under the powers of any Act of Parliament for public traffic shall be assessed to the borough rate in respect of such hereditaments on the full rateable value thereof but shall be liable to pay in each year fifty-four-and-one-half per centum only of the rate in the pound payable in respect of hereditaments not within the provisions of this Article :

Provided that the occupier of any agricultural land to which Section 1 of the Agricultural Rates Act 1896 applies while and so long as that Act continues to apply 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 thirty-five per centum only of the rate in the pound payable in respect of hereditaments not within the provisions of this Article :

[12 & 13 GEO. 5.] *Ministry of Health* [Ch. xcvi.]
Provisional Orders Confirmation (No. 10) Act, 1922.

- (2) 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 seventy one-hundred-and-ninths of the amount of the borough rate assessed on him as owner of the tithe rentcharge and the remaining thirty-nine one-hundred-and-ninths thereof 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 estate duty grant:
- (3) Save as in this Article expressly provided nothing herein shall in any way affect the operation of the Agricultural Rates Act 1896 or the payment of the sum certified by the Minister of Health as the amount of the share of the annual grant payable under that Act out of the Local Taxation Account to any spending authority:
- (4) Nothing in this Article shall affect the operation of the Ecclesiastical Tithe Rentcharge (Rates) Act 1920.

A.D. 1922.

—
Wolver-
hampton
Order.

5. For the purposes of Section 133 of the Lands Clauses Consolidation Act 1845 the borough rate for any one year levied in the Township of Wolverhampton shall to the extent of forty per centum thereof be deemed to be poor's rate within the meaning of that Section.

Application of
Section 133 of the
Lands Clauses
Consolidation
Act 1845.

6. The borough rate and the demand note and any other necessary documents to be used for the purposes of or in connection with the borough rate shall be in such form as the Minister of Health may from time to time prescribe.

Form of
rate &c. to
be pre-
scribed by
Minister of
Health.

7. The accounts of the Overseers of the existing Township of Wolverhampton in respect of the improvement rate for the financial period ending immediately before the commencement of this Order shall be prepared by the Overseers and audited by the district auditor and the financial statement for the period aforesaid shall be liable to stamp duty as if this Order had not been made.

Accounts of
the Over-
seers for
period
ending 31st
March 1923.

8. This Order may be cited as the Wolverhampton (Rates) Order 1922.

Short title.

[Ch. xcvi.] *Ministry of Health* [12 & 13 GEO. 5.]
Provisional Orders Confirmation (No. 10) Act, 1922.

A.D. 1922.

Wolver-
hampton
Order.

The SCHEDULE.

PART I.—LOCAL ACTS RELATING TO THE BOROUGH.

Column 1. Session and Chapter.	Column 2. Short Title.	Column 3. Extent of Repeal.
32 & 33 Vict. c. cxxxi.	The Wolverhampton Improvement Act 1869.	Sections 322 to 340. Section 342. In Section 372 the paragraph “(3) Where any rate is made by the Council but in cases where application for relief is authorized to be made to the Council then only after such application ” and the provision numbered (9) to “of the poor.”
4 Edw. 7. c. xcix.	The Wolverhampton Corporation Act 1904.	Forms 8 9 and 10 in the Eighth Schedule. Section 82.

[12 & 13 GEO. 5.] *Ministry of Health* [Ch. xcvi.]
Provisional Orders Confirmation (No. 10) Act, 1922.

PART II.—CONFIRMATION ACTS RELATING TO THE BOROUGH.

A.D. 1922.

Column 1. Short Title of Confirmation Act.	Column 2. Order thereby confirmed.	Column 3. Extent of Repeal.
The Local Government Board's Provisional Order Confir- mation (No. 13) Act 1888 (51 & 52 Vict. c. clxvii.).	The Order relating to Wolverhampton dated 7th June 1888.	Article XV. Article XVI.
The Local Government Board's Provisional Orders Confir- mation (No. 15) Act 1893 (56 & 57 Vict. c. clxxxix.).	The Order relating to Wolverhampton dated 16th May 1893.	Article II.
The Local Government Board's Provisional Orders Confir- mation (No. 8) Act 1913 (3 & 4 Geo. 5. c. cxxxii.).	The Wolverhampton Order 1913.	Article II

*Wolver-
hampton
Orders*

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

(L.S.)

F. L. TURNER
 Assistant Secretary Ministry of Health.

Printed by EYRE and SPOTTISWOODE, LTD.,
 FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of
 Acts of Parliament.

To be purchased through any Bookseller or directly from
 H.M. STATIONERY OFFICE at the following addresses:
 IMPERIAL HOUSE, KINGSWAY, LONDON, W.C. 2, and 28, ABINGDON STREET, LONDON, S.W.1;
 37, PETER STREET, MANCHESTER; 1, ST. ANDREW'S CRESCENT, CARDIFF;
 or 23, FORTH STREET, EDINBURGH.

