ELIZABETH II

1964 CHAPTER xxxi

An Act to confirm a Provisional Order of the Minister of Housing and Local Government relating to the rural district of Worthing. [31st July 1964]

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: 38 & 39 Vict. 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 (Shoreham and Lancing) Act 1964. Short title.

SCHEDULE

SHOREHAM AND LANCING

PROVISIONAL ORDER AMENDING AND PARTIALLY REPEALING CERTAIN PROVISIONAL ORDERS

The Minister of Housing and Local Government, on the application of the Shoreham and Lancing Sea Defence Commissioners and the Council of the rural district of Worthing, in exercise of his powers under sections 297 and 303 of the Public Health Act 1875, 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 Shoreham and Lancing Sea Defence Order 1964 and shall come into operation on the date of the Act of Parliament confirming it.

Interpretation.

2.—(1) In this order, unless the context otherwise requires, the several words and expressions to which meanings are assigned by the Order of 1913 have the same respective meanings; and

"the appointed day" means the 1st October 1964;

"the Commissioners" means the Shoreham and Lancing Sea Defence Commissioners constituted by the Order of 1913;

"the Council" means the council of the rural district of Worthing;

"the Lancing area" means so much of the Shoreham and Lancing Sea Defence District as is situate in the parish of Lancing in the rural district of Worthing;

"the Order of 1913" means the East Lancing Sea Defence Order 1913;

"the Order of 1921" means the Shoreham and Lancing Sea Defence Order 1921;

"the Shoreham area" means so much of the Shoreham and Lancing Sea Defence District as is not within the Lancing area.

(2) Except where the context otherwise requires, references in this order to any enactment shall be construed as references to that enactment as amended by any subsequent enactment, including this order.

Sea Defence rates in Lancing area.

3.—(1) Notwithstanding anything in the Order of 1913, as from the appointed day no rate or rates shall be levied by the Commissioners under the provisions of Article XVIII of the Order of 1913 on the owner of any property in the Lancing area.

(2) As from the appointed day, the Council shall in each year upon receipt of a precept from the Commissioners contribute to the Sea Defence rates a sum equal to the aggregate of the amounts which would have been payable in that year to

the Commissioners by the owners of property in the Lancing area if this order had not been made and such sum shall be deemed to be Sea Defence rates for the purposes of Article XX (2) of the Order of 1913.

(3) The amount of any contribution made by the Council under this article shall be defrayed as part of their general expenses.

(4) The provisions of Article XX (6) of the Order of 1913 shall extend and apply to any sum payable by the Council to the Commissioners under this article.

Change in constitution of Commissioners.

4.—(1) As from the appointed day for paragraph (2) of Article IV of the Order of 1913 there shall be substituted the following:—

"(2) The number of the Commissioners shall be eighteen and of that number—

Two shall be elected by the owners of property;

Nine shall be appointed by the County Council;

Three shall be appointed by the Urban Council; and

Four shall be appointed by the Rural Council".

(2) Notwithstanding anything in Article V of the Order of 1913, the Commissioners who are elected by the owners of property and holding office at the coming into operation of this order shall continue in office until the appointed day and shall then go out of office. As soon as may be after the appointed day an election of two Commissioners by the owners of property shall be completed in accordance with the regulations contained in the First Schedule to the Order of 1913 and the Commissioners so elected shall hold office for a period ending on the first Monday in the month of August 1967.

(3) The Council shall at their first meeting after the appointed day proceed to appoint two additional Commissioners who shall hold office until the first Monday in the month of August 1967:

Provided that any vacancy due to failure to appoint at such meeting shall be deemed to be a casual vacancy and may be filled accordingly.

(4) As from the appointed day Article 4 (1) and Article 5 of the Order of 1921 are hereby repealed.

Amendments of Orders of 1913 and 1921.

5. As from the appointed day the Orders of 1913 and 1921 shall have effect subject to the amendments specified in the schedule to this order.

Expenses of order.

6. All costs, charges and expenses preliminary to and of and incident to the obtaining of this order, or otherwise in relation thereto, shall be paid by the Council.

SCHEDULE

AMENDMENTS OF ORDER OF 1913

1. In paragraph (9) of Article 1 (Definitions) for the words "East Lancing Sea Defence District" there shall be substituted the words "Shoreham area as defined in the Shoreham and Lancing Sea Defence Order 1964".

2. In Article VI (1) (*b*) (Disqualification) for the words "East Lancing Sea Defence District" there shall be substituted the words "Shoreham area as defined in the Shoreham and Lancing Sea Defence Order 1964".

3. In Article XX (5) (Contributions by local authorities) paragraph (*a*) and in paragraph (*b*) the words "Subject as above mentioned" shall be omitted.

4. In paragraph 4 (*a*) of the First Schedule for the words "East Lancing Sea Defence District" there shall be substituted the words "Shoreham area as defined in the Shoreham and Lancing Sea Defence Order 1964".

AMENDMENT OF ORDER OF 1921

5. In Article 14 (1) (Charge in respect of unpaid rates) for the words "Sea Defence District" there shall be substituted the words "Shoreham area as defined in the Shoreham and Lancing Sea Defence Order 1964".

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