CHAPTER xc.

An Act to confirm a Provisional Order of the Minister of Health relating to Blandford Forum. A.D 1930.

[4th June 1930.]

WHEREAS under the provisions of the Local Government Act 1888 the Minister of Health has made a provisional order which needs confirmation by Parliament: 51 & 52 Vict. c. 41.

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 Order of the Minister of Health which is set out in the schedule to this Act is hereby confirmed and shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Blandford Forum Extension) Act 1930. Short title.

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SCHEDULE.

BOROUGH OF BLANDFORD FORUM.

Blandford Forum (Extension) Order.

Provisional Order extending a Borough.

WHEREAS by virtue of section 54 of the Local Government Act 1888 the Minister of Health is empowered to make a provisional order for altering the boundary of any borough;

And whereas the existing Borough of Blandford Forum in the administrative county of Dorset is a borough within the meaning of the Local Government Act 1888 and the inhabitants are a body corporate by the name of the mayor aldermen and burgesses of the Borough of Blandford Forum and for the purpose of the election of councillors the Borough is not divided into wards;

And whereas the Borough is coextensive with the parish of Blandford Forum and is an urban district under the jurisdiction of the mayor aldermen and burgesses acting by the council;

And whereas the parishes of Bryanston Langton Long Blandford and Pimperne immediately adjoin the Borough and are contributory places in the rural district of Blandford:

Now therefore the Minister of Health in pursuance of the powers given to him by sections 54 and 59 of the Local Government Act 1888 and of all other powers enabling him in that behalf hereby orders as follows:—

PART I.

PRELIMINARY.

Short title.

1. This order may be cited as the Blandford Forum (Extension) Order 1930.

Interpretation.

2. In this order unless the context otherwise requires—

"Existing" means existing immediately before the appointed day;

"The Act of 1888" means the Local Government Act 1888;

"The added areas" means the added part of Bryanston the added part of Langton Long Blandford and the added parts of Pimperne;

"The added part of Bryanston" means that part of the existing parish of Bryanston which is coloured green on the maps;

"The added part of Langton Long Blandford" means that part of the existing parish of Langton Long Blandford which is coloured yellow on the maps;

"The added parts of Pimperne" means those parts of the existing parish of Pimperne which are coloured grey on the maps;

"The appointed day" means the first day of October nineteen hundred and thirty;

"The Borough" means the existing Borough of Blandford Forum as extended by this order;

"The Corporation" means as the context requires the mayor aldermen and burgesses of the existing Borough or of the Borough acting by the council;

"The County" and "the County Council" mean respectively the administrative county of Dorset and the county council of that county;

"The maps" means the duplicate maps marked "Map "of the Borough of Blandford Forum as extended "by the Blandford Forum (Extension) Order 1930" and sealed with the official seal of the Minister;

"The Minister" means the Minister of Health;

"The Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending that Act and the Borough Councillors (Alteration of Number) Act 1925;

"The parish of Blandford Forum" "the parish of Bryanston" "the parish of Langton Long Blandford" and "the parish of Pimperne" mean respectively each of those parishes as altered by this order;

"The Rural District" and "the Rural Council" mean respectively the rural district of Blandford and the rural district council of Blandford.

Commencement of order.

3. Save as otherwise expressly provided this order shall come into operation on the first day of October nineteen hundred and thirty:

Provided that for the purposes of—

(*a*) the compilation alteration or re-arrangement of any register of electors made under the Representation of the People Acts; and

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(*b*) the alteration of valuation lists to take effect on the appointed day or the preparation or revision of any estimate of the produce of a penny rate or the preparation of any precept to be made in respect of the half year commencing on the appointed day;

this order shall operate from the date of the Act of Parliament confirming this order.

PART II.

ALTERATIONS OF BOUNDARY.

Extension of Borough.

4.—(1) The boundary of the existing Borough the area of which is coloured pink on the maps shall be altered so as to include in addition to that area so much of the Rural District as comprises the added part of Bryanston the added part of Langton Long Blandford and the added parts of Pimperne.

(2) The boundary of the Borough shall be that shown by the red line on the maps and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the Borough.

Alterations of parishes.

5. The added areas shall be separated from the existing parishes of which they form part and shall be amalgamated with the existing Parish of Blandford Forum.

County electoral divisions.

6. For the purpose of the election of county councillors the added areas shall be separated from the electoral divisions of which they form part and shall be included in the Blandford (Borough) electoral division.

Deposit and copies of maps.

7.—(1) One of the maps shall be deposited in the office of the Minister and the duplicate map shall be deposited with the town clerk at his office.

(2) Copies of the map deposited with the town clerk certified by him to be true shall be sent by him within one month after the date of the Act of Parliament confirming this order to the clerk to the County Council the clerk to the Rural Council the Board of Inland Revenue the Commissioners of Customs and Excise the Registrar-General the Board of Trade the Minister of Transport the Minister of Agriculture and Fisheries and the Electricity Commissioners.

Copies of map to be evidence.

8.—(1) Copies of or extracts from the map deposited with the town clerk and certified by him to be true shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of the map so far as it relates to the boundary of the Borough.

(2) The map deposited with the town clerk shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(3) All fees so received shall be carried to the general rate fund of the Borough.

PART III.

COUNCILLORS MAYOR AND ALDERMEN.

Number of councillors and aldermen.

9. Subject to the provisions of the Municipal Corporations Acts the number of councillors of the Borough shall continue to be twelve and the number of aldermen of the Borough shall continue to be four.

Continuance in office of mayor aldermen and councillors.

10.—(1) The persons who immediately before the appointed day hold office as mayor aldermen and councillors of the existing Borough shall on the appointed day become the mayor aldermen and councillors of the Borough but shall respectively retire from office on the day on which they would have retired from office if this order had not been made.

(2) Any casual vacancy in the office of councillor of the existing Borough which may exist on the appointed day shall be filled by the election of a councillor of the Borough but any person elected to fill any such casual vacancy shall retire from office on the day on which the person in whose place he is elected would have retired from office if this order had not been made.

County and Borough Councils (Qualification) Act 1914.

11. For the purposes of the application to the Borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added areas shall be deemed to have always formed part of the Borough.

PART IV.

LOCAL ACTS ADOPTIVE ACTS ORDERS BYELAWS &C.

Local Acts and orders relating to gas water or electricity.

12.—(1) Nothing in this order shall alter the area for the supply of gas water or electricity by any company under any local Act provisional order or special order.

(2) References in the Blandford Water Orders 1894 to 1921 which are applicable to the existing Borough of Blandford Forum or to the existing rural district of Blandford shall be read as references applicable to that borough or that rural district as altered by this order.

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(3) Subject to paragraph (2) of this article nothing in this order shall affect or prejudice the existing rights and powers of any local authority or company under any local Act provisional order or special order relating to gas water or electricity.

Repeal of provisional order confirmed by 52 & 53 Vict. c. cxii.

13. So much of the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1889 as relates to the Borough of Blandford Forum Order 1889 is hereby repealed.

Adoptive Acts.

14.—(1) The provisions of—

(*a*) the Baths and Washhouses Acts 1846 to 1925;

(*b*) the Infectious Disease (Prevention) Act 1890;

(*c*) Part III. of the Public Health Acts Amendment Act 1890; and

(*d*) the Private Street Works Act 1892;

shall be in force within and apply to the Borough as if the same had been adopted for the Borough.

(2) The provisions of any adoptive Act in force within the added areas or any part thereof shall subject to the provisions of this article cease to be in force within and apply to any part of the added areas.

(3) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in paragraph (1) of this article which is in force immediately before the appointed day throughout the existing Borough shall extend and apply to the added areas in substitution for any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act which by virtue of this article ceases to be in force within the added areas.

Burial Acts 1852 to 1906.

15.—(1) The Burial Acts 1852 to 1906 shall be in force within and apply to the Borough and the Blandford burial board shall be deemed to have been appointed for the Borough.

(2) Any table of fees and charges in force in respect of any existing burial ground maintained by the Blandford burial board shall extend and apply to inhabitants of the burial area as extended by this order as such table applies to inhabitants of the existing burial area.

(3) Nothing in this order shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the appointed day in relation to any burial ground.

(4) Nothing in this order shall prejudicially affect any right privilege authority or duty which immediately before the

appointed day is exerciseable by or attaches to any incumbent or sexton under the Burial Acts 1852 to 1906. A.D. 1930.

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16. Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards orders under the Public Health Acts Amendment Act 1907 :—

Orders under Public Health Acts Amendment Act 1907.

(1) The provisions of any order made before the appointed day and declaring to be in force throughout the existing Borough any parts or sections of that Act shall have effect as if any reference in that order to the existing Borough extended and applied to the Borough and as if the said parts or sections were accordingly declared to be in force within the Borough;

(2) Any other order under that Act which is in force immediately before the appointed day throughout the existing Borough shall extend and apply to the added areas;

(3) The provisions of any order made before the appointed day and declaring to be in force within the added areas any parts or sections of that Act shall cease to apply to the added areas and the parts or sections declared by any such order to be in force shall save as hereinbefore provided cease to be in force within the added areas.

Urban powers &c. in excluded parts of parishes.

17. All the powers duties and liabilities of an urban authority and all the powers in relation to the chargeability of expenses with which the Rural Council are invested by any order made by the Local Government Board or the Minister under the Public Health Acts 1875 to 1926 in respect of any existing parish which is altered by this order shall be deemed to vest in and attach to the Rural Council in respect of that parish as so altered.

Orders under Shop Hours Act 1904 or Shops Acts 1912 to 1928.

18. Any order made under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1928 and in force immediately before the appointed day in any area affected by this order shall subject to the provisions of those Acts remain in force and apply to the area to which it then applied.

Byelaws regulations scales of charges &c.

19.—(1) All byelaws made by the Corporation or by the Rural Council and confirmed by the Minister or his predecessors or which if made after the date of this order would be subject to the Minister's confirmation which are in force within the existing Borough or within the added areas immediately before the appointed day—

(*a*) if made before the first day of January nineteen hundred and twenty shall continue to apply to the

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existing Borough or to the added areas as the case may be for one year after the appointed day (unless previously repealed or altered by byelaws made by the Corporation) but shall on the expiration of the period aforesaid cease to be in force within any part of the Borough;

(*b*) if made on or after the first day of January nineteen hundred and twenty shall continue to apply to the existing Borough or to the added areas as the case may be until repealed or altered by byelaws made by the Corporation.

(2) Subject to paragraph (1) of this article all byelaws made by the Corporation and in force immediately before the appointed day within the existing Borough shall extend and apply to the Borough until repealed or altered by further byelaws.

(3) All byelaws made by the County Council or by the standing joint committee of the County and in force immediately before the appointed day within the added areas shall in so far as byelaws to the like effect could be made by the Corporation cease to be in force within the added areas.

(4) In their application to the added areas any byelaws made by the Rural Council shall have effect as if they had been made by the Corporation and as if the added areas were referred to therein.

(5) Any proceedings which if this order had not been made might have been taken for any offence within the added areas committed before the appointed day against—

(*a*) any byelaws of the Rural Council; or

(*b*) any byelaws of the County Council or the standing joint committee which by virtue of this article cease to apply to the added areas;

may be taken by the Corporation as if the Corporation had been substituted therein for the Rural Council the County Council or the standing joint committee as the case may require and as if the byelaws of the County Council or the standing joint committee had remained in force.

(6) In this article "byelaws" includes any regulation rule scale of charges list of tolls or table of fees or payments and any reference to byelaws made by the Corporation or by the Rural Council shall be read as including a reference to byelaws made by the predecessors of the Corporation or the Rural Council as the case may require.

PART V.

PROVISIONS AFFECTING THE RURAL COUNCIL PARISH COUNCILS &C.

Blandford Forum (Extension) Order.

Property &c of Rural Council.

20.—(1) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation exclusively to one of the added areas or any portion of one of the added areas shall by virtue of this order be transferred to and vest in the Corporation as the urban authority for the execution of the Public Health Acts 1875 to 1926.

(2) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation to one of the added areas or any portion of one of the added areas conjointly with any other area shall be a matter for adjustment under this order.

Balances in accounts of Rural Council.

21. Any balance standing on the appointed day in the books of the Rural Council to the credit or debit of any existing parish which is altered by this order shall be a matter for adjustment under this order.

Local land charges registers.

22.—(1) The local registrar for the Rural District under the Land Charges Act 1925 and the rules made thereunder shall within fourteen days after the appointed day supply to the local registrar for the Borough an office copy of every entry in the local land charges register relating to any premises situate within the added areas and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules.

(2) The local registrar for the Borough shall within fourteen days after the receipt of the office copy mentioned in paragraph (1) of this article enter the same with any necessary modifications in the appropriate part of the local land charges register of the Borough.

(3) Until the expiration of one month after the appointed day the following provisions shall have effect in respect of all land within the added areas :—

(*a*) The local registrar for the Borough shall give notice to any person desiring to make a personal search that an additional search should be made in the register for the Rural District;

(*b*) Where application is made for an official search the local registrar for the Borough shall issue free of charge a certificate of official search in the register of the Borough and shall forward to the local registrar for

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the Rural District the application received by him together with the fees paid in respect thereof;

(*c*) The local registrar for the Rural District shall permit and make such searches and furnish such office copies and certificates as he would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this order had not been made;

(*d*) Where a local land charge duly registered in the local land charges register of the Rural District is in pursuance of this order transferred from the register of the Rural District to the register of the Borough such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the Borough.

Rural district councillors.

23. Any person immediately before the appointed day in office as a rural district councillor for any existing parish which is altered by this order shall on the appointed day become a rural district councillor for that parish as so altered but shall retire from office on the day on which he would have retired from office if this order had not been made.

Parish councils and representative body of existing parishes.

24.—(1) The parish council of each of the existing parishes of Bryanston and Pimperne shall be deemed to have been elected as and shall be the parish council of that parish as altered by this order.

(2) The representative body constituted under the Overseers Order 1927 for the existing parish of Langton Long Blandford shall be deemed to have been appointed for the parish of Langton Long Blandford as altered by this Order.

Powers property &c. of existing parishes.

25.—(1) Subject to the provisions of this order any powers or duties vested in or imposed on—

(*a*) the parish council of the existing parish of Bryanston or the parish council of the existing parish of Pimperne (each of which parish councils is in this article called "a parish council"); or

(*b*) the parish meeting of the existing parish of Langton Long Blandford;

shall so far as regards the added areas be vested in or imposed on the Corporation.

(2) Any property or liabilities held or incurred by a parish council or the parish meeting or representative body of the existing parish of Langton Long Blandford in relation exclusively to the added part of Bryanston the added parts of Pimperne

or the added part of Langton Long Blandford or any portion of one of those added parts shall by virtue of this order be transferred to and vest in or attach to the Corporation.

(3) Any property or liabilities held or incurred by a parish council or the parish meeting or representative body of the existing parish of Langton Long Blandford in relation to the added part of Bryanston the added parts of Pimperne or the added part of Langton Long Blandford or any portion of one of those added parts conjointly with any other area shall be a matter for adjustment under this order.

PART VI.

RATING AND VALUATION.

Assessment areas and committees.

26. The County of Dorset (Assessment Areas and Assessment Committees) Scheme 1926 as approved by the Minister on the ninth day of December nineteen hundred and twenty-six shall be read and have effect as if for references therein to the borough of Blandford Forum and the Blandford Forum town council there were substituted references to that borough as extended by this order and the town council thereof and as if for references to the rural district of Blandford and the Blandford rural district council there were substituted references to the rural district as altered by this order and the council thereof.

Deduction in ascertaining rateable value of tithes railways canals &c.

27. For the purposes of all valuation lists of the Borough under the Rating and Valuation Act 1925 the amount of the deduction to be made under paragraph (*c*) of subsection (1) of section 22 of that Act from the net annual value of such rateable hereditaments within the added areas as are included in class (3) of the hereditaments specified in column (1) of part II. of the second schedule to that Act shall be 25 per cent. and such adjustments of the value of those hereditaments shall be made by the Corporation as may be necessary to give effect to the provisions of this article.

Valuation lists.

28.—(1) The valuation list of the existing Borough and the portions of the valuation list of the existing Rural District which relate to hereditaments within the added areas shall subject to such adjustments of the rateable value of those hereditaments as are required by the preceding article of this order together form the valuation list of the Borough as from the appointed day.

(2) The remaining portions of the valuation list of the existing Rural District shall be the valuation list of the Rural District.

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Estimated product of rates and precepts.

29.—(1) For the purpose of ascertaining the amounts due under precepts issued by the County Council to the Corporation and the Rural Council respectively in respect of the half-year ending on the thirty-first day of March nineteen hundred and thirty-one the product of a penny rate in the Borough and in the Rural District as altered by this order shall notwithstanding anything in the Rating and Valuation Act (Product of Rates and Precepts) Rules 1929 be determined separately for that half-year and the amounts due in respect of that half-year under those precepts shall be ascertained accordingly.

(2) It shall be the duty of the town clerk and the clerk of the Rural Council before the appointed day to furnish the County Council in respect of the half-year ending on the thirty-first day of March nineteen hundred and thirty-one with revised estimates of the product of a penny rate levied in the Borough and the Rural District respectively as altered by this order and the revised estimates shall be calculated in accordance with the provisions of the Rating and Valuation Act (Product of Rates and Precepts) Rules 1929.

(3) Notwithstanding the alterations of area effected by this order all precepts made in respect of a financial period commencing before the appointed day shall be as valid in law as if this order had not been made.

Arrears of rates.

30.—(1) All rates not collected immediately before the appointed day in respect of hereditaments within any of the added areas shall be collected and recovered by the Rural Council as the rating authority or by the proper officer of that Council.

(2) Any rates so collected and recovered shall be a matter for adjustment under this order.

PART VII.

OFFICERS.

Meaning in this part of "local authority" and "officer."

31. In this part of this order unless the context otherwise requires—

"Local authority" means a local authority as defined in section 3 of the Local Government and other Officers' Superannuation Act 1922 and includes the standing joint committee of a county;

"Officer" includes a servant and any person whose remuneration is paid by a local authority.

Officers of Corporation continued.

32. The town clerk and all other officers of the Corporation of the existing Borough who hold office immediately before the appointed day shall continue to be the town clerk and officers of

the Corporation of the Borough and shall hold their offices by the same tenure as before that day.

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Compensation to existing officers.

33.—(1) Every officer in office on the date of the Act of Parliament confirming this order who by virtue of this order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office by determination of his appointment or by diminution or loss of fees salary or emoluments (and for whose compensation for that loss no other provision is made by any enactment for the time being in force) shall be entitled to compensation under this order from the Corporation for that loss.

(2) For the purposes of this article any officer whose appointment is determined or whose fees salary or emoluments are reduced within five years after the appointed day because his services are not required or his duties are diminished in consequence of this order and not on the ground of misconduct shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this order.

Determination of compensation.

34.—(1) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this order regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 of the Act of 1888 and the compensation shall not exceed the limit therein mentioned.

(2) Any compensation payable under this order to any officer shall be paid out of the general rate fund of the Borough and the provisions of section 120 of the Act of 1888 shall apply subject to the following and any necessary modifications :—

(*a*) Any reference in that section to the county council shall be construed as a reference to the Corporation and in subsection (7) of that section for the words "the same or any other county council" there shall be substituted the words "the council of any county or county borough or under any district council" and there shall be added to the subsection the words "For "the purposes of this subsection a teacher in a public "elementary school maintained but not provided by a "council shall be deemed to hold an office under the "council";

(*b*) References in that section to "the passing of this Act" shall be construed as references to the date on which the abolition of office takes effect or the direct pecuniary loss commences as the case may be; and

(*c*) The expression in subsection (1) of that section "the "Acts and rules relating to Her Majesty's Civil

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" Service " shall mean the Acts and rules relating to Her Majesty's Civil Service which were in operation at the date of the passing of the Act of 1888.

(3) In computing the service of any officer for the purpose of the award of compensation the Corporation shall take into account all the service of that officer after he attained the age of eighteen years under any local authority :

Provided that where the officer held two or more offices and the claim for compensation is based on a loss of one or some only of those offices account shall not be taken under this paragraph of service in an office which the officer continues to hold unless throughout the period of his service in that office he devoted the whole of his time to the duties of offices held by him under one or more local authorities.

(4) The compensation payable under this order to an officer who immediately before the appointed day shall hold two or more offices under one or more local authorities and who shall have devoted the whole of his time to the duties of such offices shall not be reduced by reason of the fact that he has devoted only part of his time to each of those offices and for the purpose of this paragraph a superintendent registrar registrar of births and deaths or registrar of marriages shall be deemed to hold an office under a local authority.

(5) If any officer was temporarily absent from his employment during the late war whilst serving in His Majesty's forces or the forces of the Allied or Associated Powers either compulsorily or with the sanction or permission of the local authority such period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence :

Provided that in the case of an officer who after the armistice voluntarily extended his term of service with the forces no period of absence during such extension shall be so reckoned.

(6) The Corporation may in their discretion and in consideration of the fact that any officer was appointed to his office as a specially qualified person or of the fact that the officer before his appointment had been employed as a deputy assistant or clerk by a permanent officer for the purpose of the discharge of his official duties add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and rules relating to Her Majesty's Civil Service as applied by this order.

(7) All fees or remuneration received and retained by an officer in connection with the preparation of the jurors book or

the register of electors under the Representation of the People Acts shall subject to a reasonable deduction for any expenses incurred by the officer be regarded as part of the emoluments of the officer for the purpose of compensation.

Compensation and superannuation.

35. No service of which account has been taken in assessing the compensation payable under this order to an officer in respect of the determination of any appointment held by him shall in the event of his accepting any other office after the appointed day be reckoned for the purpose of computing any sum payable in respect of that office under any superannuation scheme or other scheme for ensuring benefits to an officer on retirement whether under any enactment or otherwise.

Part VIII.

Supplementary.

Corporation property liabilities &c.

36. Subject to the provisions of this order all property immediately before the appointed day vested in the Corporation for the benefit of the existing Borough (not being property held on any charitable trust) shall by virtue of this order be held by the Corporation for the benefit of the Borough and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which immediately before that day are exerciseable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which immediately before the appointed day attach to the Corporation in respect of the existing Borough shall on that day attach to them in respect of the Borough.

Mortgage debts of Corporation.

37.—(1) So much of any sums borrowed by the Corporation as immediately before the appointed day are owing and charged upon a fund or rate of the existing Borough or the revenues of the existing Borough shall be charged upon the corresponding fund or rate of the Borough or the revenues of the Borough.

(2) All borrowed moneys to which this article applies with the interest thereon shall be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Blandford Guardians Committee.

38. The administrative scheme for the County made by the County Council under Part I. of the Local Government Act 1929 as approved by the Minister on the sixteenth day of October nineteen hundred and twenty-nine shall have effect as if for the references therein to the borough of Blandford Forum and the Blandford rural district there were substituted references to the borough and the rural district respectively as altered by this order.

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Continuance of county councillors.

39. Any person who immediately before the appointed day represents as a county councillor any existing electoral division of the county which comprises an area affected by this order shall be deemed to have been elected to represent that electoral division as altered by this order and shall retire from office on the day on which he would have retired if this order had not been made.

Provisions as to register of electors.

40.—(1) In the preparation of the register of electors in the year nineteen hundred and thirty so far as it relates to any area affected by this order it shall be competent to the registration officer of the parliamentary county of Dorset to frame the register in separate parts for each area which will constitute a registration unit after this order has come into operation instead of in separate parts for each area constituting a registration unit before the operation of this order.

(2) If the register of local government electors for any electoral area affected by this order is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for an electoral division parish or ward or other voting area the registration officer shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(3) Any additional expense incurred by the registration officer which may be solely attributable to an alteration or re-arrangement of an existing register of electors under this article shall be defrayed by the Corporation.

(4) It shall be the duty of the town clerk of the Borough and of any officer designated under article 3 of the Overseers Order 1927 by the Corporation or by the Rural Council for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by the registration officer for the purpose of any alteration or re-arrangement authorised by this article.

(5) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this article and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

Jury service.

41. For the purpose of summoning jurors and of jury service any parish affected by this order shall be deemed to continue unaltered until a new jurors book relating to the parish as altered shall come into force.

Provisions as to adjustments.

42.—(1) Agreements may be made by any councils or other authorities affected by the alteration of any areas or authorities by this order for the adjustment of any property income debts

liabilities and expenses so far as they are affected by the alteration and section 62 of the Act of 1888 as set out and adapted in the schedule to this order shall apply to any such adjustment. A.D. 1930. *Blandford Forum (Extension) Order.*

(2) This article shall not extend to any matter for the adjustment of which special provision is made by any enactment other than section 62 of the Act of 1888 as adapted by this order.

Saving for qualification of aldermen or councillors.

43. Any alderman or councillor who is to continue in office after the appointed day shall not during his present term of office be deemed to lose his qualification for being an alderman or councillor by reason of the alterations of area made by this order.

Saving for county roads.

44. Nothing in this order shall transfer to the Corporation any road which immediately before the appointed day is a county road or any power or duty of the County Council with respect to any such road.

Contracts legal proceedings &c.

45.—(1) No alteration effected by this order shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Rural Council or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by that Council or their predecessors :

Provided that—

(*a*) Any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Rural Council in relation exclusively to one of the added areas or any part thereof may be continued prosecuted and enforced by or against the Corporation; and

(*b*) All contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by the Rural Council (or their predecessors) in relation exclusively to one of the added areas or any part thereof may be continued and enforced as fully and effectually as if instead of that Council (or their predecessors) the Corporation had been a party thereto.

(2) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this order.

Other savings.

46. Nothing in this order shall—

(1) restrict the powers of the Secretary of State the Minister or the County Council under the Act of 1888 or the Local Government Act 1894;

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(2) affect the powers of the County Council for the division of the parliamentary county into polling districts for parliamentary elections or for the division of the County into polling districts for the election of county councillors or any existing order or scheme for either of those purposes or for naming the polling places at any election;

(3) alter the area of any petty sessional division or coroner's district; or

(4) affect the ecclesiastical divisions of any parish or prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment.

Order to have effect subject to 19 & 20 Geo. 5. c. 17.

47. This order shall have effect subject to the provisions of the Local Government Act 1929.

SCHEDULE.

SECTION 62 OF THE LOCAL GOVERNMENT ACT 1888 AS ADAPTED BY THIS ORDER.

62.—(1) Any councils or other authorities affected by any alteration of areas or authorities made by an order authorised by this Act may from time to time make agreements for the purpose of adjusting any property, income, debts, liabilities, and expenses (so far as affected by the alteration) of the parties to the agreement, and the agreement may provide for the transfer or retention of any property, debts, and liabilities, with or without any conditions, and for the joint use of any property, and for the transfer of any duties, and for payment by either party to the agreement in respect of property, debts, duties, and liabilities so transferred or retained, or of such joint user, and in respect of the salary, remuneration or compensation payable to any officer or person, and that either by way of a capital sum, or of a terminable annuity for a period not exceeding that allowed by the Minister.

(2) In default of an agreement as to any matter requiring adjustment, such adjustment may be made by an arbitrator appointed by the parties, or in case of difference as to the appointment, appointed by the Minister.

(3) An arbitrator appointed under this Act shall be deemed to be an arbitrator within the meaning of the Lands Clauses Consolidation Act, 1845, and the Acts amending the same, and

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the provisions of those Acts with respect to an arbitration shall apply accordingly; and, further, the arbitrator may state a special case, and notwithstanding anything in the said Acts, shall determine the amount of the costs, and shall have power to disallow as costs in the arbitration the costs of any witness whom he considers to have been called unnecessarily, and any other costs which he considers to have been incurred unnecessarily.

(4) Any award or order made by any arbitrator under this Act may provide for any matter for which an agreement might have provided.

(5) Any sum required to be paid by a council or other authority for the purpose of adjustment, or of any award made by an arbitrator under this Act, may be paid out of such fund or rate as may be specified in the agreement of adjustment or award, or if no fund or rate is so specified, either out of the fund or rate from which the general expenses of the council or authority are defrayed, or out of such special fund or rate as the council or other authority with the approval of the Minister may direct.

(6) The payment by any council or other authority of any capital sum required to be paid for the purposes of the adjustment, or of any award of an arbitrator, shall be a purpose for which—

(*a*) a county council may borrow under this Act, and a borough council may borrow under the Municipal Corporations Act, 1882, or any local Act;

(*b*) any other council or authority may borrow under any Act conferring on them a power to borrow;

and any such sum may be borrowed on the security of all or any of the funds, rates, and revenues of the council or other authority, and either by the creation of stock or in any other manner in which they are for the time being authorised to borrow, and such sum may be borrowed without the consent of any authority, so that it be repaid within such period as the Minister may sanction, by such method as is mentioned in Part Four of this Act for paying off a loan, or, if the sum is raised by stock under a local Act, by such method as is directed by that Act.

(7) Any capital sum paid to any council or other authority for the purpose of any adjustment, or in pursuance of any award of an arbitrator under this Act, shall be treated as capital, and applied, with the sanction of the Minister, either in the repayment of debt or for any other purpose for which capital money may be applied.

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(8) If it is necessary for the purpose of giving effect to any agreement or award of adjustment that a separate rate should be levied in part only of a rating area or parish, the agreement or award may authorise the levy of an additional item of the general rate, or a special rate, over the part of the rating area or parish.

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