CHAPTER ix.

An Act to confirm certain Provisional Orders of the Minister of Health relating to the Counties of Gloucester Warwick and Worcester. A.D. 1931.

[27th March 1931.]

WHEREAS under the provisions of the Local Government Act 1888 the Minister of Health has made certain provisional orders which need 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 orders of the Minister of Health which as amended are set out in the schedule to this Act are hereby confirmed and shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (Gloucestershire Warwickshire and Worcestershire) Act 1931. Short title.

[*Price* 3*s.* 0*d. Net.*]

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SCHEDULE.

COUNTIES OF GLOUCESTER AND WORCESTER.

Worcestershire to Gloucestershire Order.

Provisional Order made in pursuance of the Local Government Act 1888 *for altering county boundaries.*

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

And whereas the several parishes named in column 1 of the first schedule to this order form part of the administrative county of Worcester and a representation has been made to the Minister of Health by the county council of Gloucester that it is desirable that the boundaries of the counties of Gloucester and Worcester should be altered so as to transfer those parishes to the county of Gloucester;

And whereas the Shipston-on-Stour rural district which comprises the parish of Blockley and four other parishes is a detached part of the county of Worcester;

And whereas the parish of Redmarley D'Abitot and the parish of Staunton form an unnamed rural district in the county of Worcester which is administered by the council of the rural district of Newent in the county of Gloucester;

And whereas the parishes of—

(*a*) Chaceley and Teddington;

(*b*) Cutsdean; and

(*c*) Daylesford (otherwise Dalesford) and Evenlode;

in the county of Worcester are comprised within the rural districts of Tewkesbury Winchcomb and Stow-on-the-Wold but the remainder of the parishes within the rural districts of Winchcomb and Stow-on-the-Wold are within the county of Gloucester and a majority of the parishes within the Tewkesbury rural district are within that county:

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 Worcestershire to Gloucestershire Transfer Order 1931.

Interpretation.

2. In this order unless the context otherwise requires—

"County" means an administrative county;

"Existing" means existing immediately before the appointed day;

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

"The appointed day" means the first day of April nineteen hundred and thirty-one;

"The Campden rural council" means the rural district council of Campden;

"The counties" means the administrative counties of Gloucester and Worcester and "the county councils" means the councils of those administrative counties;

"The Minister" means the Minister of Health;

"The Shipston rural district" means the rural district of Shipston-on-Stour as it exists immediately before the appointed day and "the Shipston rural council" means the rural district council of that rural district;

"The transferred parishes" means the parishes mentioned in column 1 of the first schedule to this order;

"The unnamed rural district" means the unnamed rural district consisting of the parishes of Redmarley D'Abitot and Staunton which is administered by the rural district council of Newent.

Provision for Sundays and public holidays.

3. When the day on which anything is required by this order to be done falls on a Sunday Good Friday or a bank holiday that thing shall be done on the next following day not being one of the days already mentioned.

Commencement of order.

4. Save as otherwise expressly provided this order shall come into operation on the first day of April nineteen hundred and thirty-one:

Provided that for the purposes of 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 financial 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 BOUNDARIES OF COUNTIES AND RURAL DISTRICTS.

Alterations of county boundaries.

5. The parishes mentioned in column 1 of the first schedule to this order shall cease to form part of the county of Worcester and shall be transferred to the county of Gloucester.

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Alterations and continuance of rural districts.

6.—(1) The unnamed rural district consisting of the parish of Redmarley D'Abitot and the parish of Staunton shall cease to exist and those parishes shall be transferred to the rural district of Newent and there shall be one general rate fund and general rate for that rural district as extended by this order.

(2) The parish of Blockley shall be separated from the rural district of Shipston-on-Stour and shall form part of the rural district of Campden and until the Minister by order otherwise directs the special drainage district of Blockley and the remainder of the parish of Blockley shall be separate contributory places of the Campden rural district.

(3) The parishes of Chaceley and Teddington shall continue to form part of the Tewkesbury rural district the parish of Cutsdean shall continue to form part of the Winchcomb rural district and the parish of Daylesford (otherwise Dalesford) and the parish of Evenlode shall continue to form part of the Stow-on-the-Wold rural district.

PART III.

PROVISIONS CONSEQUENT ON ALTERATION OF COUNTY BOUNDARIES.

Election and continuance in office of county councillors Electoral divisions.

7.—(1) The ordinary election of county councillors in the present year shall be held for the existing counties and for the existing electoral divisions of those counties.

(2) Notwithstanding the alterations of area made by this order any person elected at the ordinary election of county councillors in the present year to represent an existing electoral division affected by this order shall continue a member of the county council to which he was elected unless and until other provision shall be made in an order of the Secretary of State for the alteration of electoral divisions.

(3) As from the appointed day each of the transferred parishes shall form part of the electoral division of the county of Gloucester named in column 2 of the first schedule to this order opposite the name of the transferred parish in column 1 of that schedule.

Assizes sessions sheriff lieutenant coroner territorial army jurors &c.

8.—(1) For the purposes of any commission of assize oyer and terminer or gaol delivery and for the purposes of sheriff lieutenant and territorial army and the making up of the jurors book and the qualification and service of jurors the transferred parishes shall form part of the county of Gloucester.

(2) The powers and duties of the quarter sessions justices coroners and clerk of the peace of the county of Gloucester and of the police constables and other peace officers of that county shall extend to the transferred parishes.

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(3) Each of the transferred parishes shall form part of the petty sessional division and coroner's district of the county of Gloucester named in columns 3 and 4 of the first schedule to this order opposite the name of the transferred parish in column 1 of that schedule.

(4) Notwithstanding the foregoing provisions of this section—

(*a*) Until the jurors books prepared next after the appointed day come into force the transferred parishes shall for the purposes of summoning jurors and of jury service be deemed to continue part of the county of Worcester; and

(*b*) Every person committing an offence in any of the transferred parishes prior to the appointed day shall be tried and dealt with as if this order had not been made and every proceeding which prior to the appointed day has been begun by or before any court or justice or coroner in relation to any matter arising in or concerning any of the transferred parishes may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this order had not been made.

Transfer of Worcestershire police to Gloucestershire police.

9.—(1) On the appointed day such number of the members of the police force of the county of Worcester as before that day shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committees of the counties or in default of agreement by the Secretary of State shall be transferred to and become part of the police force of the county of Gloucester:

Provided that no member of the Worcestershire police force shall be transferred under this section without his consent.

(2) Every member of the Worcestershire police force so transferred shall hold office in the Gloucestershire police force upon the same tenure and upon the same terms and conditions as the other serving members of the Gloucestershire police force of the same rank as that member and any period of service which the person transferred was entitled to reckon before the transfer for purposes of pay promotion or pension in the Worcestershire police force shall be reckoned for the same purpose in the Gloucestershire police force:

Provided that where the scale of ordinary pensions applicable to a member of the police force who is so transferred is by virtue of section 29 (1) (*a*) of the Police Pensions Act 1921 a scale other than that prescribed in part I of the first schedule to that Act that scale shall continue to apply to him as if he had not been so transferred.

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(3) The provisions of subsection (2) of section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of a police force transferred under this section as if that member had removed with the written sanction of the chief constable of Worcestershire and notwithstanding that at the date of the transfer that member may not have completed one year's approved service in the Worcestershire police force.

Transfer of police stations constables' residences &c.

10. Any county police station situate within any of the transferred parishes and any residence for a constable or cell so situate and the fittings and furniture of any such police station residence or cell shall by virtue of this order be transferred to and vest in the county council of Gloucester on the appointed day for all the estate and interest therein of the county council of Worcester and section 62 of the Act of 1888 as adapted and set out in the second schedule to this order shall apply for the purpose of any adjustment which may be required in consequence of the transfer made by this section.

Transfer of public elementary schools.

11.—(1) For the purposes and subject to the provisions of the Education Act 1921—

(*a*) Any public elementary school provided by the county council of Worcester as local education authority and situate within any of the transferred parishes and the furniture fittings books and apparatus belonging to that county council of any public elementary school within any of the transferred parishes shall by virtue of this order be transferred to and vest in the county council of Gloucester as the local education authority for all the estate and interest therein of the county council of Worcester as the local education authority;

(*b*) All contracts debts and liabilities which immediately before the appointed day are existing or are owing by or attach to the county council of Worcester in respect exclusively of any public elementary school within any of the transferred parishes or of the furniture fittings books or apparatus or with respect to the officers teachers and servants of any public elementary school so situate shall by virtue of this order enure to and be carried into effect by and be discharged and satisfied by the county council of Gloucester as the local education authority;

(*c*) Section 68 of the Local Government Act 1894 shall apply with respect to any adjustment required for the purposes of this section;

(*d*) Subject to any adjustment which may hereafter be made the liability for repayment of so much of any loan raised exclusively in respect of any public elementary

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school or of the furniture fittings or apparatus transferred to and vested in the county council of Gloucester by virtue of this order as is owing immediately before the appointed day and the liability for the payment of interest on that part of any such loan shall by virtue of this order be transferred and attach to the county council of Gloucester as the local education authority and so much of any such loan as is then owing shall be charged on the fund or rate out of which the expenses in relation to elementary education of the county council of Gloucester are payable and shall be repaid by that county council within the period (if any) for which that part of the loan was originally sanctioned or within which that part of the loan is otherwise required to be repaid or is made repayable.

(2) In this section the expression " public elementary school " includes the site and schoolhouse and also any land acquired and held by the county council of Worcester as the local education authority for purposes of elementary education.

School managers.

12. Any manager of any public elementary school within any of the transferred parishes who was appointed by the county council of Worcester shall vacate office on the appointed day and a successor shall be appointed by the county council of Gloucester.

Guardians committee areas and administrative schemes.

13.—(1) Each of the transferred parishes mentioned in column 1 of the first schedule to this order shall be transferred to that guardians committee area of the county of Gloucester which is mentioned in column 5 of that schedule opposite the name of the transferred parish in column 1 of the schedule.

(2) The schedule to the scheme of the Worcester county council under part I of the Local Government Act 1929 shall be modified as follows :—

(*a*) The references to the Stow-on-the-Wold rural district as a county district comprised in the Evesham guardians committee area and to the unnamed rural district as a county district comprised in the Upton-on-Severn guardians committee area shall cease to have effect and any member of either of the guardians committees for those areas who was nominated by the Stow-on-the-Wold rural district council or the Newent rural district council shall on the appointed day retire from office;

(*b*) The total number of members of the Evesham guardians committee and the Upton-on-Severn guardians committee shall respectively be reduced by one.

(3) The schedule to the scheme of the Gloucester county council under part I of the Local Government Act 1929 shall be

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modified by the omission from column (2) of the word "part" after the reference to the Stow-on-the-Wold rural district.

(4) Subject to the provisions of subsection (2) of this section and of any other order of the Minister any person who immediately before the appointed day is a representative on any guardians committee of—

(*a*) the council of any rural district which is not abolished by this order shall continue to represent that council; or

(*b*) the council of any county which is altered by this order shall be deemed to represent the council of that county as so altered.

Adaptation of Joint Vagrancy Orders.

14. Any reference to the county of Gloucester in the Gloucester and Somerset Joint Vagrancy Committee Order 1930 shall be read as a reference to that county as extended by this order and any reference to the county of Worcester in the South Midland Joint Vagrancy Committee Order 1930 shall be read as a reference to that county as diminished by this order.

Assessment areas and committees.

15.—(1) The unnamed rural district shall be transferred from the Number 4 or West Worcestershire assessment area to the Gloucester rural assessment area as part of the Newent rural district and the representative of the unnamed rural district on the No. 4 or West Worcestershire assessment committee shall on the appointed day retire from office.

(2) The parish of Blockley shall continue to form part of the Shipston-on-Stour assessment area but the reference in the schedule to the County of Gloucester (Assessment Areas and Assessment Committees) Scheme 1926 to the Campden rural district shall be read as a reference to that rural district as extended by this order.

(3) Subject to the provisions of this order and any other order of the Minister any person who immediately before the appointed day represents on any assessment committee the council of any rural district which is not abolished by this order shall continue to represent that council.

County roads and bridges within transferred parishes.

16.—(1) All county roads and county bridges within any of the transferred parishes shall by virtue of this order be transferred to and vest in the county council of Gloucester and as respects any county road or county bridge transferred by this section the county council of Gloucester may exercise the powers conferred and shall be subject to the duties imposed on a county council in relation to county roads and county bridges by part III of the Local Government Act 1929.

(2) Where in pursuance of section 35 of the Local Government Act 1929 powers or duties of the county council of Gloucester in

relation to roads or bridges have been delegated to the council of any rural district as respects such of the parishes within that rural district as are situate within the existing county of Gloucester the delegation shall extend to any of the transferred parishes which will on and after the appointed day form part of that rural district and of the county of Gloucester.

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17. The scheme of the county council of Worcester under the Housing (Rural Workers) Act 1926 shall cease to extend to any of the transferred parishes to which that scheme applies and the scheme of the Gloucester county council under that Act shall extend to those of the transferred parishes which on and after the appointed day will not be comprised within the Newent rural district or the Tewkesbury rural district.

Housing (Rural Workers) Act 1926.

18.—(1) The Minister may by order at any time after the passing of the Act of Parliament confirming this order make such provisions as appear to him to be necessary for transferring to the insurance committee for the county of Gloucester such of the property rights and liabilities of the insurance committee for the county of Worcester as relate to persons resident in any of the transferred parishes.

Insurance committees.

(2) An order made under this section may authorise the insurance committee for the county of Worcester to continue to act as insurance committee for any of the transferred parishes until such date not being later than the thirty-first day of December nineteen hundred and thirty-one as may be specified in the order and may for that purpose postpone the operation of this order so far as relates to the rights and duties of the respective insurance committees for the counties until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

(3) An order under this section may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order under this section the persons who immediately before the appointed day are members of the insurance committee for either of the existing counties of Gloucester and Worcester shall be deemed to have been appointed or elected as and shall be the members of the insurance committee for that county as altered by this order.

19.—(1) An equitable adjustment shall be made between the counties respecting the interest of the transferred parishes in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

Adjustment for purposes of Licensing (Consolidation) Act 1910.

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(2) Such adjustment shall be made by agreement between the compensation authorities within the meaning of the Licensing (Consolidation) Act 1910 for the counties within twelve months after the appointed day or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of any such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 as adapted and set out in the second schedule to this order and the provisions of that Act shall apply accordingly.

Register of nursing homes.

20.—(1) The clerk of the county council of Worcester shall before the appointed day send the clerk of the county council of Gloucester a copy of every entry in the register of the Worcester county council under the Nursing Homes Registration Act 1927 which relates to any nursing home situate within any of the transferred parishes and the clerk of the county council of Gloucester shall include in the register of the Gloucester county council under that Act the particulars furnished to him under this subsection.

(2) Any exemption in force immediately before the appointed day from the operation of the Nursing Homes Registration Act 1927 which may have been granted by the county council of Worcester in respect of premises within any of the transferred parishes shall continue in force until the exemption shall expire.

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

21. 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.

Wild Birds Protection Orders.

22. Any order of the county council of Gloucester under the Wild Birds Protection Acts 1880 to 1908 which immediately before the appointed day is in force within the parishes within the existing county of Gloucester of an existing rural district which will on and after the appointed day comprise one of the transferred parishes shall extend and apply to that transferred parish in substitution for any order of the county council of Worcester under those Acts which may be in force in the transferred parish.

Byelaws of county councils and standing joint committees.

23. Any byelaws made by the county council of Gloucester or by the standing joint committee of that county which immediately before the appointed day are in force within the parishes within the existing county of Gloucester of an existing rural district which will on and after the appointed day comprise one of the transferred parishes shall extend and apply to that

transferred parish in substitution for any byelaws of the county council of Worcester or the standing joint committee of that county which may be in force within the transferred parish:

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Provided that any proceedings which if this order had not been made might have been taken by the county council of Worcester or by the standing joint committee of that county for any offence committed before the appointed day within any of the transferred parishes against any byelaws which by virtue of this section cease to apply to an area may be taken by the county council of Gloucester or by the standing joint committee of that county as the case may require and as if the byelaws had remained in force within that area.

PART IV.

PROVISIONS CONSEQUENT ON ALTERATION OF RURAL DISTRICTS.

Elections of rural district councillors and parish councillors in present year.

24. The ordinary elections of rural district councillors and parish councillors in the present year shall be held for the existing rural districts and the existing parishes.

Rural district councillors for transferred parishes.

25.—(1) Any person in office immediately before the appointed day as a rural district councillor for a transferred parish who is due to retire from office on the fifteenth day of April nineteen hundred and thirty-one shall retire from office on the appointed day and any person elected at the ordinary election of rural district councillors in the present year to represent a transferred parish shall come into office on the appointed day.

(2) Any person elected at the ordinary election of rural district councillors in the present year to represent a transferred parish shall as from that day represent that transferred parish as a councillor for the rural district in which the parish will by virtue of this order be situate.

(3) Any rural district councillor for a transferred parish who is not due to retire from office on the fifteenth day of April nineteen hundred and thirty-one shall as from the appointed day represent that transferred parish as a councillor for the rural district in which the parish will by virtue of this order be situate and shall retire from office on the day on which he would have retired from office if this order had not been made.

Housing schemes of Shipston rural council.

26.—(1) Upon the appointed day the estate or interest of the Shipston rural council in such of the houses provided by that council under the Rural Housing Schemes as are situate within the parish of Blockley shall by virtue of this order be transferred to and vest in the Campden rural council as the authority for the execution of the Housing Acts 1925 and 1930.

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(2) The rights liabilities obligations and property attaching to or vested in the Shipston rural council in relation to the Rural Housing Schemes shall be a matter for adjustment under this order with the council of any district to which any part of the Shipston rural district may be transferred.

(3) In this section the expression "the Rural Housing Schemes" means the housing schemes of the Shipston rural council formulated for the Shipston rural district under the Housing Town Planning &c. Act 1919 the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 and the Housing Act 1925.

Property and liabilities of Newent and Shipston rural district councils.

27.—(1) All property and liabilities which immediately before the appointed day are vested in or attach to the Newent rural district council in respect of their existing rural district or of the unnamed rural district for purposes the expenses of which are chargeable on the whole of either of those rural districts shall by virtue of this order vest in and attach to the Newent rural district council in respect of their rural district as extended by this order.

(2) Any property or liabilities which immediately before the appointed day are vested in or attach to the Shipston rural council in relation exclusively to the parish of Blockley or any portion of that parish shall by virtue of this order be transferred to vest in and attach to the Campden rural council.

(3) Any property or liabilities which immediately before the appointed day are vested in or attach to the Shipston rural council in relation to the parish of Blockley or any portion of that parish conjointly with any other area shall be a matter for adjustment under this order between the Campden rural council and the council of any district to which any other part of the Shipston rural district may be transferred.

Balance of special rate in Blockley.

28. Any balance immediately before the appointed day in the hands of the Shipston rural council which may have been derived from any special rate levied by them within either the special drainage district of Blockley or the remainder of the parish of Blockley shall be paid to the Campden rural council.

Adoptive Acts orders byelaws scales of charges &c. relating to rural districts.

29.—(1) Subject to the provisions of this order—

(*a*) any adoptive Act or order of a government department; or

(*b*) any order byelaws or scale of charges made by a rural district council or their predecessors;

which immediately before the appointed day is in force within the whole of any existing rural district to which a parish is by this order transferred shall extend and apply to that transferred parish in substitution for any such Act order byelaws or scale

of charges which may be in force in the transferred parish as forming part of the existing rural district from which the parish is transferred.

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(2) Any adoptive Act which immediately before the appointed day is in force within a transferred parish by virtue of the adoption of the Act by a parish meeting or other parochial authority shall continue in force within that parish.

(3) Any order of a government department which immediately before the appointed day is in force within any transferred parish and does not extend to the whole of the existing rural district in which the parish is comprised shall continue to apply to the transferred parish and if the parish is by this order transferred to another rural district the council of the rural district to which the parish is by this order transferred shall be substituted in any such existing order for the existing rural district council.

(4) In this section the expression "byelaws" includes any regulation and the expression "scale of charges" includes any list of tolls or table of fees and payments not prescribed by byelaws.

Valuation lists.

30.—(1) The valuation list for the unnamed rural district shall be amalgamated with the valuation list for the existing Newent rural district.

(2) The division of the valuation list for the existing Shipston rural district which relates to the parish of Blockley shall be transferred to the Campden rural council and shall form part of the valuation list for the Campden rural district.

PART V.

OFFICERS.

Meaning in this part of certain expressions.

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

"Compensating authority" means an authority to whom an application for compensation under this part of this order is made;

"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 and any teacher employed in a public elementary school which is maintained by a local education authority.

Transfer of certain officers.

32.—(1) Any person who on the date of the Act of Parliament confirming this order is an officer of the Shipston rural council and is employed for the purposes of any scheme the expenses of which are defrayed from a special rate levied on either the special

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drainage district of Blockley or the remainder of the parish of Blockley shall on the appointed day as respects that office be transferred to and become an officer of the Campden rural council.

(2) Any officer so transferred shall hold his office by the same tenure and on the same conditions as if this order had not been made and while performing similar duties shall in respect thereof receive not less salary or remuneration and shall be entitled to not less pension (if any) than the salary remuneration or pension to which he would have been entitled if this order had not been made.

(3) The Campden rural council may employ a transferred officer in the discharge of such of their powers and duties as they may think proper and every officer shall perform such duties in relation thereto as may be directed by that council who may determine the appointment or abolish the office of any transferred officer.

(4) If at any time within five years after the appointed day a transferred officer is required by the Campden rural council to perform duties which are not analogous to or which are an unreasonable addition to those which that officer was required to perform immediately before the appointed day the officer may relinquish his office.

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 for that loss.

(2) Any application by an officer of a rural district council for compensation under subsection (1) of this section shall be made to the council of any rural district which on and after the appointed day will comprise any parish by reason of the transfer of which a direct pecuniary loss arises and any compensation payable by that rural district council shall be defrayed as general expenses.

(3) Any application by any other officer for compensation under subsection (1) of this section shall be made to the county council of Gloucester and any compensation payable by that county council shall be defrayed as expenses for general county purposes.

(4) For the purposes of this section any transferred officer who relinquishes his office under the power conferred by this order and 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.

(5) Any compensation payable by the county council of Gloucester under this order may be a matter for adjustment under this order with the county council of Worcester and any compensation payable by a rural district council under this order may be a matter for adjustment under this order with the council of any other rural district to which any part of the area for which the officer acted is transferred.

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) For the purposes of the determination and payment of compensation to officers under this order 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 compensating authority 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 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 compensating authority shall take into account all the service of that officer after he attained the age of eighteen years under any local authority :

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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 subsection 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 subsection 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 compensating authority 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 that 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 VI.

SUPPLEMENTARY.

Provision for adjustments.

36.—(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 second schedule to this order shall apply to any such adjustment.

(2) Section 62 of the Act of 1888 as adapted by this order shall extend to any question which may arise in consequence of the alteration of county boundaries made by this order as to the financial relations (including the distribution of any moneys) between the county councils of Gloucester and Worcester and subsection (6) of section 32 of the Act of 1888 which relates to the revision of financial adjustments shall extend to any financial adjustment made under this subsection.

(3) This section shall not extend to any matter for the adjustment of which special provision as to the method of adjustment is made by any enactment or by any other provision of this order.

Qualifying period for local government electors.

37. For the purposes of the registers of local government electors prepared in the present year and of all matters connected with incidental to or consequent upon those purposes the transferred parishes shall be deemed to have formed part of the county to which by this order they are transferred as from the twenty-eighth day of February nineteen hundred and thirty-one.

Duplicate entries in electors lists.

38.—(1) The registration officer of the parliamentary county of Worcester shall supply the registration officer of the parliamentary county of Gloucester on publication with a sufficient number of copies of the electors lists the lists of objections to the electors lists the lists of claimants and the lists of objections to claimants for each registration unit comprising one of the transferred parishes and shall forthwith notify the registration officer of the parliamentary county of Gloucester of his decisions on any objections or claims in respect of any such registration unit.

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(2) It shall be the duty of the registration officer of the parliamentary county of Gloucester to issue such notices and otherwise to take such steps as are required by rule 23 in the first schedule to the Representation of the People Act 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the same electoral division of the county of Gloucester for the purpose of county council elections or in the same parish or ward of a parish for the purpose of rural district council or parish council elections.

(3) Where the registration officer of the parliamentary county of Gloucester considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors list of any registration unit comprising one of the transferred parishes he shall forthwith notify the registration officer of the parliamentary county of Worcester and that officer shall make the correction accordingly.

(4) This section shall apply to the preparation of the register of electors in the year nineteen hundred and thirty-one and later registers of electors.

Alteration or re-arrangement of local government register.

39.—(1) If the register of local government electors for an 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—

(*a*) the registration officer of the parliamentary county of Gloucester in the case of an election or parish meeting for any voting area within the county of Gloucester as extended by this order; and

(*b*) the registration officer of the parliamentary county of Worcester in the case of an election or parish meeting for any voting area within the county of Worcester as diminished by this order;

shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(2) It shall be the duty of the clerk of the council of any rural district affected by this order and of any officer designated under article 3 of the Overseers Order 1927 by that 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 a registration officer for the purpose of any alteration or re-arrangement authorised by this section.

(3) 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 section and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

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Local land charges register.

40.—(1) The local registrar for the county of Worcester 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 county of Gloucester an office copy of every entry in his register relating to any premises situate within any of the transferred parishes and shall be paid by the county council of Gloucester in respect thereof such fees as are prescribed by the said rules.

(2) The local registrar for the Shipston rural district under the Land Charges Act 1925 and the rules made thereunder shall before the appointed day supply to the local registrar for the Campden rural district an office copy of every entry in his register relating to any premises situate within the parish of Blockley and shall be paid by the Campden rural council in respect thereof such fees as are prescribed by the said rules.

(3) Any register under the Land Charges Act 1925 for the unnamed rural district shall be incorporated with the register under that Act for the Newent rural district.

(4) The local registrar for the county of Gloucester and the local registrar for the Campden rural district shall respectively upon the receipt of the office copy mentioned in subsection (1) or subsection (2) of this section enter the particulars contained therein with any necessary modifications in the appropriate part of his local land charges register.

(5) Until the entries required by subsection (4) of this section are made or until the expiration of one month from the appointed day whichever shall be the earlier—

(*a*) where application is made by any person for a search in the register—

(i) for the county of Gloucester in respect of land within any of the transferred parishes;

(ii) for the Campden rural district in respect of land within the parish of Blockley;

the local registrar by whom the application is received if the application is for a personal search shall give notice to the applicant that an additional search should be made in the register for the county of Worcester or the Shipston rural district as the case may require and if the application is for an official search shall issue free of charge a certificate of official search in his register

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and shall forward to the local registrar for the county of Worcester or the local registrar having the custody of the register for the Shipston rural district as the case may require the application received by him together with the fees paid in respect thereof;

(*b*) the local registrar for the county of Worcester and the local registrar having the custody of the register for the Shipston 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.

(6) Where a local land charge duly registered in the local land charges register of the county of Worcester or the Shipston rural district is in pursuance of this order transferred from that register to the register of the county of Gloucester or the Campden rural district 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 Gloucester register or the Campden register.

Transfers of lists of prisoners writs &c.

41. Lists of prisoners writs process and particulars and all records and documents relating to or to be executed in connection with any action or proceeding pending or existing immediately before the appointed day and appertaining to any of the transferred parishes shall upon the completion of any pending proceedings be delivered transferred and signed in like manner (as nearly as may be) as is required upon a new sheriff coming into office and as if the sheriff of the county of Gloucester were as respects the transferred parishes the new sheriff in succession to the sheriff of the county of Worcester.

Precepts of county councils and other local authorities.

42.—(1) Precepts of the county councils for the financial year commencing on the appointed day shall be based on each of the counties as altered by this order and shall be sent to the rating authorities as soon as practicable after the confirmation of this order by Parliament.

(2) The county councils may make such adaptations and alterations of the estimates of the produce of a rate of a penny in the pound furnished to them by any rating authority as may be necessary to bring those estimates into conformity with the alterations of the counties or rating areas made by this order.

(3) It shall be the duty of the clerk of any rating authority to supply each of the county councils with such information as may be necessary for the purposes of subsection (2) of this section.

(4) Notwithstanding the alterations of area effected by this order all precepts made by any local authority 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.

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Settlement and irremovability of poor.

43.—(1) Every person resident in any of the transferred parishes immediately before the appointed day who has acquired or is in the course of acquiring—

(*a*) a settlement in the county of Worcester by reason of residence birth or other qualification therein; or

(*b*) a status of irremovability from the county of Worcester by reason of residence therein;

shall be deemed to have acquired or to be in the course of acquiring thereby as the case may require a settlement in or a status of irremovability from the county of Gloucester.

(2) For the purposes of this section consecutive periods of residence between the thirty-first day of March nineteen hundred and thirty and the appointed day in any portions of the county of Worcester shall be aggregated and reckoned as continuous residence in that part of the county of Worcester in which the person was residing immediately before the appointed day.

(3) A person resident in a poor law institution or institution for persons of unsound mind immediately before the appointed day shall not for the purposes of this section be deemed to be resident in any of the transferred parishes immediately before the appointed day.

Consent of Electricity Commissioners to purchase of electricity undertaking.

44. Any right of purchasing an electricity undertaking which may be conferred by the Electricity (Supply) Acts 1882 to 1928 and accrues to a local authority affected by this order by reason of the alterations of area thereby made shall not be exercised by that local authority without the consent of the Electricity Commissioners.

Appointment of trustees of certain charities.

45. Any power of appointing trustees of a charity subject to the jurisdiction of the Charity Commissioners which was exerciseable immediately before the appointed day by the county council of Worcester and which ceases to be exerciseable in consequence of the transfer by this order of a parish to the county of Gloucester may after the appointed day be exercised by such county council as the Charity Commissioners may direct but nothing in this section shall in any way prejudice or affect the power of the Charity Commissioners under the Charitable Trusts Acts 1853 to 1925 to establish a scheme for the regulation of the charity.

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Appointment of trustees of educational charities.

46. The power of the county council of Worcester to appoint a representative trustee of the foundation of Thomas Turberville in the parish of Chaceley and a representative trustee of the Goddard Carter educational foundation in the parish of Blockley under schemes of the Board of Education dated the sixteenth day of August nineteen hundred and six and the sixteenth day of September nineteen hundred and twenty-four respectively shall be transferred to and vest in the county council of Gloucester as local education authority without prejudice to the tenure of office of any trustee immediately before the appointed day in office.

Arrears of rates in Blockley.

47.—(1) All rates not collected immediately before the appointed day in respect of hereditaments within the parish of Blockley shall be collected and recovered by the Campden rural council as the rating authority or by the proper officer of that council.

(2) Any sums so collected and recovered on account of a general rate of the Shipston rural district shall be a matter for adjustment under this order with the council of any district to which any part of the Shipston rural district may be transferred.

Qualification for election as county councillor or rural district councillor.

48.—(1) For the purposes of the determination of the qualification of a person for election after the appointed day as a county councillor or rural district councillor the alterations of counties and districts made by this order shall be deemed to have had effect on the first day of April nineteen hundred and thirty.

(2) Any county councillor or rural district 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 a councillor by reason of the alterations of area made by this order.

Audit of accounts as to unnamed rural district.

49.—(1) The accounts kept by the Newent rural district council and their officers in relation to the unnamed rural district shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this order had not been made.

(2) Any sum certified at the audit by the district auditor to be due from any person shall be paid to the treasurer of the Newent rural district council.

Saving for registration districts and sub-districts.

50. Any scheme made by the county council of Gloucester or the Registrar-General under the provisions of section 24 of the Local Government Act 1929 shall make provision for dealing with the transferred parishes but until the date on which a scheme affecting the transferred parishes comes into operation nothing

in this order shall affect the area of any existing registration district or sub-district for the purposes of births deaths or marriages without prejudice however to the exercise of the powers contained in the Births and Deaths Registration Acts 1836 to 1929 as to the alteration of registration districts or sub-districts.

Agreements instruments legal proceedings &c.

51.—(1) The agreements made between the county council of Gloucester or the Gloucestershire standing joint committee of the one part and the county council of Worcester or the Worcestershire standing joint committee of the other part of which particulars are given in the third schedule to this order shall on the appointed day cease to have effect without prejudice however to the recovery of any sum which may then be due to either party to an agreement.

(2) Save as in this order otherwise provided 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 either of the county councils or the council of any rural district which is altered by this order or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by either of the county councils or the council of any such rural district :

Provided that—

(*a*) Any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Shipston rural council in relation exclusively to the parish of Blockley or any part of that parish may be continued prosecuted and enforced by or against the Campden rural council; and

(*b*) All contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by the Shipston rural council in relation exclusively to the parish of Blockley or any part of that parish may be continued and enforced as fully and effectually as if instead of that council the Campden rural council had been a party thereto.

(3) 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.

(4) Any reference in this section to a council shall be read as including a reference to the predecessors of that council.

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Worcestershire to Gloucestershire Order.

Other savings.

52. Nothing in this order shall—

(1) restrict the powers of the Secretary of State the Minister or any county council under the Act of 1888 the Local Government Act 1894 or the Local Government Act 1929;

(2) affect the powers of any county council for the division of the parliamentary county into polling districts for parliamentary elections or for the division of their 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 for the supply of gas water or electricity by any company body or local authority under any local Act or any provisional order confirmed by Parliament or under any order made in pursuance of the Gas Undertakings Acts 1920 and 1929 or the Electricity Supply Acts 1882 to 1928 or prejudice or affect the existing powers or charges of any such company body or local authority under any such Act or order;

(4) save as in this order expressly provided with respect to the appointment of trustees of certain educational and other charities prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment; or

(5) affect the area within which any bishop parson or other ecclesiastical person has any cure of souls or jurisdiction.

SCHEDULES.

FIRST SCHEDULE.

TRANSFERRED PARISHES AND ELECTORAL DIVISIONS PETTY SESSIONAL DIVISIONS CORONERS' DISTRICTS AND GUARDIANS COMMITTEE AREAS OF THE COUNTY OF GLOUCESTER TO WHICH BY THIS ORDER THEY ARE TRANSFERRED.

	County of Gloucester.			
Transferred parishes.	Electoral divisions.	Petty sessional divisions.	Coroners' districts.	Guardians committee areas.
1.	2.	3.	4.	5.
Blockley	Moreton-in-Marsh.	Campden	Upper	Campden.
Chaceley	Ashchurch	Tewkesbury	Forest	Tewkesbury.
Cutsdean	Winchcomb	Winchcomb	Upper	Winchcombe.
Daylesford (otherwise Dalesford).	Stow-on-Wold	Stow-on-Wold	Upper	Stow.
Evenlode	Stow-on-Wold	Moreton-in-Marsh.	Upper	Stow.
Redmarley D'Abitot.	Dymock	Newent	Forest	Tewkesbury.
Staunton	Dymock	Newent	Forest	Tewkesbury.
Teddington	Beckford	Tewkesbury	Upper	Tewkesbury.

SECOND 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

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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 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.

(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.

(9) In this section, the expression "the Minister" means the Minister of Health.

THIRD SCHEDULE.

AGREEMENTS WHICH ARE TO CEASE TO HAVE EFFECT.

Date.	Parties.	Parishes referred to.	Subject-matter.
23rd March 1898.	Gloucester county council and Worcester county council.	Conderton Cutsdean Daylesford Evenlode Overbury Teddington.	Administration of Diseases of Animals Acts by Gloucestershire.
,, ,,	,, ,,	,, ,,	Administration of Weights and Measures Acts by Gloucestershire.
,, ,,	Gloucestershire standing joint committee and Worcestershire standing joint committee.	,, ,,	Transfer to Gloucestershire for police purposes.

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COUNTIES OF WARWICK GLOUCESTER AND WORCESTER.

Gloucestershire and Worcestershire to Warwickshire Order.

Provisional Order made in pursuance of the Local Government Act 1888 *for altering county boundaries.*

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

And whereas the six parishes first named in column 1 of the first schedule to this order form part of the administrative county of Gloucester and the four parishes last named in column 1 of that schedule form part of the administrative county of Worcester;

And whereas representations have been made to the Minister of Health by the county council of Warwick that it is desirable that the boundaries of the counties of Gloucester Warwick and Worcester should be altered so as to transfer all those parishes to the county of Warwick;

And whereas the six parishes first named in column 1 of the first schedule to this order constitute the Marston Sicca rural district;

And whereas the Shipston-on-Stour rural district is a detached part of the county of Worcester and comprises the four parishes last named in column 1 of the first schedule to this order and the parish of Blockley:

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 Gloucestershire and Worcestershire to Warwickshire Transfer Order 1931.

Interpretation.

2. In this order unless the context otherwise requires—

"County" means an administrative county;

"Existing" means existing immediately before the appointed day;

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

"The appointed day" means the first day of April nineteen hundred and thirty-one;

"The counties" means the administrative counties of Gloucester Warwick and Worcester and "the county councils" means the councils of those administrative counties;

"The Gloucestershire parishes" means the six parishes first named in column 1 of the first schedule to this order "the Worcestershire parishes" means the four parishes last named in column 1 of that schedule and "the transferred parishes" means the Gloucestershire parishes and the Worcestershire parishes;

"The Marston rural district" means the Marston Sicca rural district and "the Marston rural council" means the rural district council of Marston Sicca;

"The Minister" means the Minister of Health;

"The Shipston rural district" means the rural district of Brailes as extended and re-named by this order and "the Shipston rural council" means the council of that rural district;

"The Stratford rural district" means the Stratford-on-Avon rural district and "the Stratford rural council" means the rural district council of Stratford-on-Avon.

Provision for Sundays and public holidays.

3. When the day on which anything is required by this order to be done falls on a Sunday Good Friday or a bank holiday that thing shall be done on the next following day not being one of the days already mentioned.

Commencement of order.

4. Save as otherwise expressly provided this order shall come into operation on the first day of April nineteen hundred and thirty-one:

Provided that for the purposes of 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 financial 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 BOUNDARIES OF COUNTIES AND RURAL DISTRICTS.

Alterations of county boundaries.

5.—(1) The parishes of—

(*a*) Clifford Chambers;

(*b*) Dorsington;

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(*c*) Long Marston (otherwise Marston Sicca);

(*d*) Preston on Stour;

(*e*) Welford-on-Avon; and

(*f*) Weston-on-Avon;

shall cease to form part of the county of Gloucester and shall be transferred to the county of Warwick.

(2) The parishes of—

(*a*) Alderminster;

(*b*) Shipston on Stour;

(*c*) Tidmington; and

(*d*) Tredington;

shall cease to form part of the county of Worcester and shall be transferred to the county of Warwick.

Dissolution alteration &c. of rural districts.

6.—(1) The existing Marston Sicca rural district and the existing Shipston-on-Stour rural district shall cease to exist.

(2) The parishes named in subsection (1) of the preceding section of this order and the parish of Alderminster shall be transferred to and form part of the Stratford-on-Avon rural district.

(3) The parishes of Shipston on Stour Tidmington and Tredington shall be transferred to and form part of the Brailes rural district.

(4) The name of the rural district of Brailes as extended by this order shall be altered to the rural district of Shipston on Stour and the rural district council of Brailes shall be known as the rural district council of Shipston on Stour but the identity of the rural district council of Brailes as a corporate body shall not otherwise be affected by the alteration of name made by this subsection.

PART III.

PROVISIONS CONSEQUENT ON ALTERATION OF COUNTY BOUNDARIES.

Election and continuance in office of county councillors Electoral divisions.

7.—(1) The ordinary election of county councillors in the present year shall be held for the existing counties and for the existing electoral divisions of those counties.

(2) Notwithstanding the alterations of area made by this order any person elected at the ordinary election of county councillors in the present year to represent an existing electoral division affected by this order shall continue a member of the county council to which he was elected unless and until other

provision shall be made in an order of the Secretary of State for the alteration of electoral divisions. A.D. 1931.

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(3) As from the appointed day each of the transferred parishes shall form part of the electoral division of the county of Warwick named in column 2 of the first schedule to this order opposite the name of the transferred parish in column 1 of that schedule.

Assizes sessions sheriff lieutenant coroner territorial army jurors &c.

8.—(1) For the purposes of any commission of assize oyer and terminer or gaol delivery and for the purposes of sheriff lieutenant and territorial army and the making up of the jurors book and the qualification and service of jurors the transferred parishes shall form part of the county of Warwick.

(2) The powers and duties of the quarter sessions justices coroners and clerk of the peace of the county of Warwick and of the police constables and other peace officers of that county shall extend to the transferred parishes.

(3) The parishes of Shipston on Stour Tidmington and Tredington shall form part of the Brailes petty sessional division of the county of Warwick that petty sessional division shall be called the Shipston on Stour petty sessional division and the remainder of the transferred parishes shall form part of the Stratford-upon-Avon petty sessional division of the county of Warwick.

(4) The transferred parishes shall form part of the Southern coroner's district of the county of Warwick and the parish of Ilmington in the county of Warwick shall be transferred from the Upper coroner's district of the county of Gloucester to the Southern coroner's district of the county of Warwick.

(5) Notwithstanding the foregoing provisions of this section—

(*a*) Until the jurors books prepared next after the appointed day come into force each of the transferred parishes shall for the purposes of summoning jurors and of jury service be deemed to continue to form part of the existing county in which it is comprised;

(*b*) Every person committing an offence in any of the transferred parishes prior to the appointed day shall be tried and dealt with as if this order had not been made and every proceeding which prior to the appointed day has been begun by or before any court or justice or coroner in relation to any matter arising in or concerning any of the transferred parishes or the parish of Ilmington may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this order had not been made.

Gloucestershire and Worcestershire to Warwickshire Order.

Determination of Worcestershire and Warwickshire police agreement.

9. The agreement dated the twenty-seventh day of June eighteen hundred and fifty-nine and made between the clerk of the peace for Warwickshire and the clerk of the peace for Worcestershire whereby the Worcestershire parishes were to be deemed for police purposes to form part of the county of Warwick shall on the appointed day cease to have effect without prejudice however to the recovery of any sum which may then be due to either party to the agreement.

Transfer of Gloucestershire police to Warwickshire police.

10.—(1) On the appointed day such number of the members of the police force of the county of Gloucester as before that day shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committees of the counties of Gloucester and Warwick or in default of agreement by the Secretary of State shall be transferred to and become part of the police force of the county of Warwick :

Provided that no member of the Gloucestershire police force shall be transferred under this section without his consent.

(2) Every member of the Gloucestershire police force so transferred shall hold office in the Warwickshire police force upon the same tenure and upon the same terms and conditions as the other serving members of the Warwickshire police force of the same rank as that member and any period of service which the person transferred was entitled to reckon before the transfer for purposes of pay promotion or pension in the Gloucestershire police force shall be reckoned for the same purpose in the Warwickshire police force :

Provided that where the scale of ordinary pensions applicable to a member of the police force who is so transferred is by virtue of section 29 (1) (*a*) of the Police Pensions Act 1921 a scale other than that prescribed in Part I of the first schedule to that Act that scale shall continue to apply to him as if he had not been so transferred.

(3) The provisions of subsection (2) of section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of a police force transferred under this section as if that member had removed with the written sanction of the chief constable of Gloucestershire and notwithstanding that at the date of the transfer that member may not have completed one year's approved service in the Gloucestershire police force.

Transfer of police stations constables' residences &c.

11. Any county police station situate within any of the transferred parishes and any residence for a constable or cell so situate and the fittings and furniture of any such police station residence or cell shall by virtue of this order be transferred to and vest in the county council of Warwick on the appointed

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day for all the estate and interest therein of the county council of Gloucester or Worcester (as the case may be) and section 62 of the Act of 1888 as adapted and set out in the second schedule to this order shall apply for the purpose of any adjustment which may be required in consequence of the transfer made by this section.

Determination of Gloucestershire Worcestershire and Warwickshire agreements as to diseases of animals.

12. The agreements dated—

(1) the seventh day of April eighteen hundred and eighty-five and made between the Worcestershire justices and the Warwickshire justices; and

(2) the seventeenth day of December nineteen hundred and one and made between the county council of Gloucester and the county council of Warwick;

whereby the authority for Warwickshire were to administer the Diseases of Animals Acts in the Worcestershire parishes the Gloucestershire parishes and certain other parishes shall on the appointed day cease to have effect without prejudice however to the recovery of any sum which may then be due under either agreement to a party to the agreement.

Transfer of public elementary schools &c.

13.—(1) For the purposes and subject to the provisions of the Education Act 1921—

(*a*) Any public elementary school provided by the county council of Gloucester or the county council of Worcester as local education authority and situate within any of the transferred parishes and the furniture fittings books and apparatus belonging to that county council of any public elementary school within any of the transferred parishes shall by virtue of this order be transferred to and vest in the county council of Warwick as the local education authority for all the estate and interest therein of the county council of Gloucester or the county council of Worcester as the local education authority;

(*b*) All contracts debts and liabilities which immediately before the appointed day are existing or are owing by or attach to the county council of Gloucester or the county council of Worcester in respect exclusively of any public elementary school within any of the transferred parishes or of the furniture fittings books or apparatus or with respect to the officers teachers and servants of any public elementary school so situate shall by virtue of this order enure to and be carried into effect by and be discharged and satisfied by the county council of Warwick as the local education authority;

(*c*) Section 68 of the Local Government Act 1894 shall apply with respect to any adjustment required for the purposes of this section;

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(*d*) Subject to any adjustment which may hereafter be made the liability for repayment of so much of any loan raised exclusively in respect of any public elementary school or of the furniture fittings or apparatus transferred to and vested in the county council of Warwick by virtue of this order as is owing immediately before the appointed day and the liability for the payment of interest on that part of any such loan shall by virtue of this order be transferred and attach to the county council of Warwick as the local education authority and so much of any such loan as is then owing shall be charged on the fund or rate out of which the expenses in relation to elementary education of the county council of Warwick are payable and shall be repaid by that county council within the period (if any) for which that part of the loan was originally sanctioned or within which that part of the loan is otherwise required to be repaid or is made repayable.

(2) In this section the expression "public elementary school" includes the site and schoolhouse and also any land acquired and held by the county council of Gloucester or the county council of Worcester as the local education authority for purposes of elementary education.

School managers.

14. Any manager of any public elementary school within any of the transferred parishes who was appointed by the county council of Gloucester or the county council of Worcester shall vacate office on the appointed day and a successor shall be appointed by the county council of Warwick.

Guardians committee areas and administrative schemes.

15.—(1) The transferred parishes shall be transferred to the Stratford-on-Avon guardians committee area of the county of Warwick.

(2) With respect to the schemes made by the county councils under part I of the Local Government Act 1929 the following provisions shall have effect:—

(*a*) The references in the schedule to the Gloucestershire scheme to the Marston Sicca rural district as a county district comprised in the Campden guardians committee area and to the number of members to be nominated by the council of the Marston Sicca rural district shall cease to have effect and any person so nominated shall on the appointed day retire from office as a member of the guardians committee for the Campden area;

(*b*) The references in the schedule to the Worcestershire scheme to the existing Shipston-on-Stour rural district as a county district comprised in the Evesham guardians

committee area and to the number of members to be nominated by the council of that rural district shall cease to have effect and any person so nominated shall on the appointed day retire from office as a member of the guardians committee for the Evesham area;

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(c) For the reference in the schedule to the Warwickshire scheme to the Brailes rural district a reference to the Shipston on Stour rural district shall be substituted the total number of members of the Stratford-on-Avon guardians committee shall be increased to thirty-six the number of members of that guardians committee to be nominated by the council of the substituted rural district shall be increased from two to three and the number of members of that guardians committee to be nominated by the Stratford rural council shall be increased from four to five.

(3) The additional members assigned to the Stratford-on-Avon guardians committee by this section shall be nominated by the appropriate council as soon as practicable after the appointed day.

(4) Subject to the foregoing provisions of this section and to the provisions of any other order of the Minister any person who immediately before the appointed day is a representative on any guardians committee of—

(a) the council of any rural district which is not abolished by this order shall continue to represent that council; or

(b) the council of any county which is altered by this order shall be deemed to represent the council of that county as so altered.

Adaptation of Joint Vagrancy Orders.

16. Any reference to the county of Gloucester in the Gloucester and Somerset Joint Vagrancy Committee Order 1930 shall be read as a reference to that county as diminished by this order and any references to either of the counties of Warwick and Worcester in the South Midland Joint Vagrancy Committee Order 1930 shall be read as references to that county as altered by this order.

Assessment areas and committees.

17.—(1) The transferred parishes shall cease to form part of the assessment areas of which before the appointed day they form part and shall be transferred to the Stratford-on-Avon assessment area.

(2) The County of Gloucester (Assessment Areas and Assessment Committees) Scheme 1926 shall have effect as if references to the Marston Sicca rural district and the Shipston-on-Stour rural district as rating areas comprised within the Shipston-on-Stour assessment area and to the councils of those districts

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were omitted from the schedule to the scheme and the total number of members of the Shipston-on-Stour assessment committee shall be reduced by four.

(3) The name of the Shipston-on-Stour assessment area constituted by the County of Gloucester (Assessment Areas and Assessment Committees) Scheme 1926 shall be altered to the Campden assessment area the name of the existing Shipston-on-Stour assessment committee shall be altered to the Campden assessment committee and Chipping Campden shall be substituted for Shipston-on-Stour as the principal place of meeting of that assessment committee.

(4) In the schedule to the County of Warwick (Assessment Areas and Assessment Committees) Scheme 1930 for the references to the Brailes rural district and to the Brailes rural district council there shall be substituted references to the Shipston on Stour rural district and the Shipston on Stour rural district council and references in that schedule to the Stratford-on-Avon rural district and the council thereof shall be read as references to that district as altered by this order and the council thereof.

(5) The number of members of the Stratford-on-Avon assessment committee to be appointed by the Shipston rural council shall be increased from three to four.

(6) The additional member assigned to the Stratford-on-Avon assessment committee by this section shall be appointed by the Shipston rural council as soon as practicable after the appointed day.

(7) Subject to the provisions of any other order of the Minister any person who immediately before the appointed day represents on any assessment committee the council of any rural district which is not abolished by this order shall continue to represent that council.

County roads and bridges within transferred parishes.

18.—(1) All county roads and county bridges within any of the transferred parishes shall by virtue of this order be transferred to and vest in the county council of Warwick and as respects any county road or county bridge transferred by this section the county council of Warwick may exercise the powers conferred and shall be subject to the duties imposed on a county council in relation to county roads and county bridges by part III of the Local Government Act 1929.

(2) Where in pursuance of section 35 of the Local Government Act 1929 powers or duties of the county council of Warwick in relation to roads or bridges have been delegated to the council of any existing rural district which by this order is extended the delegation shall extend to the council of that rural district as so extended.

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19.—(1) The schemes of the county councils of Gloucester and Worcester under the Housing (Rural Workers) Act 1926 shall cease to extend to any of the transferred parishes to which either of those schemes applies.

(2) The schemes of the Brailes rural district council and of the Stratford rural council under the Housing (Rural Workers) Act 1926 shall extend and apply to each of those rural districts as extended by this order.

Housing (Rural Workers) Act 1926.

Insurance committees.

20.—(1) The Minister may by order at any time after the passing of the Act of Parliament confirming this order make such provisions as appear to him to be necessary for transferring to the insurance committee for the county of Warwick such of the property rights and liabilities of the insurance committee for the county of Gloucester or the county of Worcester as relate to persons resident in the transferred parishes.

(2) An order made under this section may authorise the insurance committee for the county of Gloucester or the county of Worcester to continue to act as insurance committee for any of the transferred parishes until such date not being later than the thirty-first day of December nineteen hundred and thirty-one as may be specified in the order and may for that purpose postpone the operation of this order so far as relates to the rights and duties of the respective insurance committees for the counties until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

(3) An order under this section may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order under this section the persons who immediately before the appointed day are members of the insurance committee for one of the existing counties of Gloucester Warwick and Worcester shall be deemed to have been appointed or elected as and shall be the members of the insurance committee for that county as altered by this order.

Adjustment for purposes of Licensing (Consolidation) Act 1910.

21.—(1) An equitable adjustment shall be made between the compensation authorities for the counties of—

(*a*) Gloucester and Warwick; and

(*b*) Worcester and Warwick;

respecting the interest of the transferred parishes in any compensation fund for the existing county of Gloucester or the existing county of Worcester constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

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(2) The adjustments under subsection (1) of this section shall be made by agreement between the compensation authorities concerned within twelve months after the appointed day or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of any such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 as adapted and set out in the second schedule to this order and the provisions of that Act shall apply accordingly.

(4) For the purposes of this section the expression "compensation authorities" means compensation authorities within the meaning of the Licensing (Consolidation) Act 1910.

Register of nursing homes.

22.—(1) The clerks of the county councils of Gloucester and Worcester shall before the appointed day send the clerk of the county council of Warwick a copy of every entry in the register of the Gloucester county council or the Worcester county council under the Nursing Homes Registration Act 1927 which relates to any nursing home situate within the Gloucestershire parishes or the Worcestershire parishes and the clerk of the county council of Warwick shall include in the register of the Warwick county council under that Act the particulars furnished to him under this subsection.

(2) Any exemption in force immediately before the appointed day from the operation of the Nursing Homes Registration Act 1927 which may have been granted by the county council of Gloucester or the county council of Worcester in respect of premises within any of the transferred parishes shall continue in force until the exemption shall expire.

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

23. 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.

Wild Birds Protection Orders.

24.—(1) Any order of the county council of Warwick under the Wild Birds Protection Acts 1880 to 1908 which immediately before the appointed day is in force within—

(*a*) the existing Brailes rural district shall extend and apply to that rural district as extended and renamed by this order;

(*b*) the existing Stratford rural district shall extend and apply to that rural district as extended by this order.

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(2) Any such order of the county council of Gloucester or the county council of Worcester which immediately before the appointed day may be in force within any of the transferred parishes shall cease to extend to that parish.

Byelaws of county councils and standing joint committees.

25. Any byelaws made by the county council of Warwick or by the standing joint committee of that county which immediately before the appointed day are in force within the parishes within the existing county of Warwick of an existing rural district which will on and after the appointed day comprise one of the transferred parishes shall extend and apply to that transferred parish in substitution for any byelaws of the county council of Gloucester or the county council of Worcester or the standing joint committee of either of those counties which may be in force within the transferred parish :

Provided that any proceedings which if this order had not been made might have been taken by the county council of Gloucester or the county council of Worcester or by the standing joint committee of one of those counties for any offence committed before the appointed day within any of the transferred parishes against any byelaws which by virtue of this section cease to apply to an area may be taken by the county council of Warwick or by the standing joint committee of that county as the case may require and as if the byelaws had remained in force within that area.

PART IV.

DISSOLUTION OF RURAL COUNCILS AND PROVISIONS CONSEQUENT ON ALTERATION OF RURAL DISTRICTS.

Dissolution of rural councils and liquidation of debts.

26.—(1) Upon the appointed day the Marston rural council and the existing rural district council of Shipston-on-Stour shall be dissolved and shall cease to exist.

(2) The Marston rural council and the existing rural district council of Shipston-on-Stour shall before the appointed day liquidate as far as practicable all current debts and liabilities incurred by them.

Elections of rural district councillors and parish councillors in present year.

27. Notwithstanding the foregoing provision in this part of this order the ordinary elections of rural district councillors and parish councillors in the present year shall be held for the existing rural districts and the existing parishes.

Rural district councillors for transferred parishes.

28.—(1) Any person in office immediately before the appointed day as a rural district councillor for a transferred parish who is due to retire from office on the fifteenth day of April nineteen hundred and thirty-one shall retire from office on the appointed day and any person elected at the ordinary

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election of rural district councillors in the present year to represent a transferred parish shall come into office on the appointed day.

(2) Any person elected at the ordinary election of rural district councillors in the present year to represent a transferred parish shall as from that day represent that transferred parish as a councillor for the rural district in which the parish will by virtue of this order be situate.

(3) Any rural district councillor for a transferred parish who is not due to retire from office on the fifteenth day of April nineteen hundred and thirty-one shall as from the appointed day represent that transferred parish as a councillor for the rural district in which the parish will by virtue of this order be situate.

(4) Any rural district councillor for one of the transferred parishes shall retire from office on the fifteenth day of April in the year specified in column 3 of the first schedule to this order opposite the name of the parish in column 1 of that schedule.

Rural housing schemes.

29.—(1) Upon the appointed day the estate or interest of the Marston rural council or the existing Shipston-on-Stour rural district council in such of the houses provided by that council under the Rural Housing Schemes as are situate within any of the transferred parishes shall by virtue of this order be transferred to and vest in the council of the rural district to which the parish is by this order transferred as the authority for the execution of the Housing Acts 1925 and 1930.

(2) The rights liabilities obligations and property attaching to or vested in the Marston rural council or the existing Shipston-on-Stour rural district council in relation to the Rural Housing Schemes shall be a matter for adjustment under this order between the councils of the districts to which any part of the Marston rural district or the existing rural district of Shipston-on-Stour (as the case may require) may be transferred.

(3) In this section the expression "the Rural Housing Schemes" means the housing schemes of the Marston rural council or the existing Shipston-on-Stour rural district council formulated for their existing district under the Housing Town Planning &c. Act 1919 the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 and the Housing Act 1925.

Property and liabilities of rural district councils.

30.—(1) All property and liabilities which immediately before the appointed day are vested in or attach to the Brailes rural district council or the Stratford rural council in respect of their existing rural district for purposes the expenses of which are chargeable on the whole of either of those rural districts shall by virtue of this order vest in and attach to the Shipston rural council or the Stratford rural council in respect of the

Brailes rural district or the Stratford rural district as extended by this order.

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(2) Any property or liabilities which immediately before the appointed day are vested in or attach to the existing rural district council of Shipston-on-Stour in relation exclusively to one of the transferred parishes or any portion of one of the transferred parishes shall by virtue of this order be transferred to vest in and attach to the council of the rural district to which the parish is by this order transferred.

(3) Subject to the provisions of this order any property or liabilities which immediately before the appointed day are vested in or attach to the existing rural district council of Shipston-on-Stour in relation to one of the transferred parishes or any portion of one of the transferred parishes conjointly with any other area shall by virtue of this order be transferred to vest in and attach to the Shipston rural council but shall be a matter for adjustment with the council of any district to which any other part of the existing rural district of Shipston-on-Stour may be transferred.

(4) Any property or liabilities which immediately before the appointed day are vested in or attach to the Marston rural council shall be transferred to vest in or attach to the Stratford rural council.

Balances of special rates.

31. Any balance immediately before the appointed day in the hands of the existing rural district council of Shipston-on-Stour which may have been derived from any special rate levied by them within one of the transferred parishes shall be paid to the council of the rural district to which the parish is by this order transferred.

Adoptive Acts or orders relating to existing rural districts.

32.—(1) Subject to the provisions of this order—

(*a*) any adoptive Act or order of a government department; or

(*b*) any order made by a rural district council or their predecessors;

which immediately before the appointed day is in force within the whole of any existing rural district to which a parish is by this order transferred shall extend and apply to that transferred parish in substitution for any such Act or order which may be in force in the transferred parish as forming part of the existing rural district from which the parish is transferred.

(2) Any adoptive Act which immediately before the appointed day is in force within a transferred parish by virtue of the adoption of the Act by a parish meeting or other parochial authority shall continue in force within that parish.

(3) Any order of a government department which immediately before the appointed day is in force within any transferred parish

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and does not extend to the whole of the existing rural district in which the parish is comprised shall continue to apply to the transferred parish subject to the substitution in any such existing order of the council of the rural district to which the parish is by this order transferred for the existing rural district council.

Byelaws regulations and scales of charges relating to existing rural districts.

33.—(1) Any byelaws and any scale of charges made by the Marston rural council or by the existing rural district council of Shipston-on-Stour and in force immediately before the appointed day within any of the transferred parishes—

(*a*) if made before the first day of January nineteen hundred and twenty shall continue to apply to the parish in which they are in force for one year after the appointed day (unless previously repealed or altered by byelaws made by the council of the rural district to which the parish is by this order transferred) but shall on the expiration of the period aforesaid cease to be in force within that parish;

(*b*) if made on or after the first day of January nineteen hundred and twenty shall continue to apply to the parish in which they are in force until repealed or altered by byelaws made by the council of the rural district to which the parish is by this order transferred.

(2) In their application to a parish by this order transferred any byelaws and scale of charges made by the council of the rural district from which the parish is transferred shall have effect as if they had been made by the council of the rural district to which the parish is transferred.

(3) Any proceedings which if this order had not been made might have been taken by the council of a rural district from which a parish is by this order transferred in respect of any contravention of byelaws occurring within the transferred parish before the appointed day may be taken by the council of the rural district to which the parish is by this order transferred as if the byelaws had been made by that council.

(4) In this section the expression "byelaws" includes any regulation and the expression "scale of charges" includes any list of tolls or tables of fees or payments not prescribed by byelaws and any reference in this section to byelaws made by a rural district council shall be read as including a reference to byelaws made by the predecessors of that council.

Valuation lists.

34.—(1) The division of the valuation list for the existing rural district of Shipston-on-Stour which relates to the parish of Alderminster shall be transferred to the Stratford rural council and shall together with the valuation list for the Marston rural district and the valuation list for the existing Stratford rural district form the valuation list for the Stratford rural district as extended by this order.

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(2) The divisions of the valuation list for the existing rural district of Shipston-on-Stour which relate to the parishes of Shipston on Stour Tidmington and Tredington shall be transferred to the Brailes rural district council and shall together with the valuation list for the existing Brailes rural district form the valuation list for the Shipston rural district. *Gloucestershire and Worcestershire to Warwickshire Order.*

PART V.

OFFICERS.

Meaning in this part of certain expressions.

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

"Compensating authority" means an authority to whom an application for compensation under this part of this order is made;

"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 and any teacher employed in a public elementary school which is maintained by a local education authority.

Transfer of certain officers of Gloucester and Worcester county councils.

36. Any person who on the date of the Act of Parliament confirming this order is employed—

(*a*) by the county council of Gloucester in the surveying making maintenance or repair of roads within the Marston rural district;

(*b*) by the county council of Worcester in the surveying making maintenance or repair of roads within the existing rural district of Shipston-on-Stour;

(*c*) by the county council of Worcester in or about the poor law institution situate within the parish of Shipston-on-Stour or under the Poor Law Act 1930 for a district which is wholly comprised within the area of the existing rural district of Shipston-on-Stour; or

(*d*) by the county council of Gloucester under the Poor Law Act 1930 for a district which is wholly comprised within the area of the Marston rural district;

shall on the appointed day as respects that office be transferred to and become an officer of the Warwick county council.

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37. Any person who on the date of the Act of Parliament confirming this order is an officer of—

Transfer of certain officers of rural district councils.

(*a*) the Marston rural council shall on the appointed day be transferred to and become an officer of the Stratford rural council;

(*b*) the existing rural district council of Shipston-on-Stour and is employed for the purposes of any scheme the expenses of which are defrayed from a special rate levied on the parish of Alderminster shall on the appointed day as respects that office be transferred to and become an officer of the Stratford rural council;

(*c*) the existing rural district council of Shipston-on-Stour for whose transfer provision is not otherwise made by this or any other order shall on the appointed day be transferred to and become an officer of the Shipston rural council.

Conditions of service of transferred officers.

38.—(1) Any officer transferred by any of the foregoing provisions of this part of this order shall hold his office by the same tenure and on the same conditions as if this order had not been made and while performing similar duties shall in respect thereof receive not less salary or remuneration and shall be entitled to not less pension (if any) than the salary remuneration or pension to which he would have been entitled if this order had not been made.

(2) The council to whom an officer is by this order transferred may employ the transferred officer in the discharge of such of their powers and duties as they may think proper and every officer shall perform such duties in relation thereto as may be directed by that council who may determine the appointment or abolish the office of any transferred officer.

(3) If at any time within five years after the appointed day an officer by this order transferred is required by the council to whom he is so transferred to perform duties which are not analogous to or which are an unreasonable addition to those which that officer was required to perform immediately before the appointed day the officer may relinquish his office.

(4) Any officer by this order transferred who upon the transfer holds an office designated as an established post under the Local Government and other Officers' Superannuation Act 1922 shall be deemed to hold under the council to whom he is transferred a post designated as an established post under that Act and the council from whom the officer is transferred shall pay to the council to whom the officer is transferred a transfer value in respect of the officer calculated in accordance with the provisions of the Act aforesaid.

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(5) Where by virtue of section fifty-one of the Rating and Valuation Act 1925 the Poor Law Officers Superannuation Act 1896 applies to an officer who by this order is transferred from the service of one rating authority to the service of another rating authority the provisions of the Act of 1896 shall continue to apply to the officer notwithstanding his transfer by this order.

Compensation to existing officers.

39.—(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 for that loss.

(2) Any application by an officer of a rural district council for compensation under subsection (1) of this section shall be made to the council of the rural district to whom by this order he is transferred or if he is not so transferred shall be made to the council of any rural district which on and after the appointed day will comprise any parish by reason of the transfer of which a direct pecuniary loss arises and any compensation payable by a rural district council shall be defrayed as general expenses.

(3) Any application by any other officer for compensation under subsection (1) of this section shall be made to the county council of Warwick and any compensation payable by that county council shall be defrayed as expenses for general county purposes.

(4) For the purposes of this section any transferred officer who relinquishes his office under the power conferred by this order and 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.

(5) Any compensation payable by the county council of Warwick under this order may be a matter for adjustment under this order with the county council of Gloucester or the county council of Worcester as the case may require and any compensation payable by a rural district council under this order may be a matter for adjustment under this order with the council of any other rural district to which any part of the area for which the officer acted may be transferred.

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Determination of compensation.

40.—(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) For the purposes of the determination and payment of compensation to officers under this order 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 compensating authority 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 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 compensating authority 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 subsection 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 subsection 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 compensating authority may in their discretion and in consideration of the fact that any officer wasappointed 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 that 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.

41. 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 VI.

SUPPLEMENTARY.

Provision for 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

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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 second schedule to this order shall apply to any such adjustment.

(2) Section 62 of the Act of 1888 as adapted by this order shall extend to any question which may arise in consequence of the alteration of county boundaries made by this order as to the financial relations (including the distribution of any moneys) between the county councils of Gloucester Warwick and Worcester and subsection (6) of section 32 of the Act of 1888 which relates to the revision of financial adjustments shall extend to any financial adjustment made under this subsection.

(3) This section shall not extend to any matter for the adjustment of which special provision as to the method of adjustment is made by any enactment or by any other provision of this order.

Qualifying period for local government electors.

43. For the purposes of the registers of local government electors prepared in the present year and of all matters connected with incidental to or consequent upon those purposes the transferred parishes shall be deemed to have formed part of the county to which by this order they are transferred as from the twenty-eighth day of February nineteen hundred and thirty-one.

Duplicate entries in electors lists.

44.—(1) The registration officer of each of the parliamentary counties of Gloucester and Worcester shall supply the registration officer of the parliamentary county of Warwick on publication with a sufficient number of copies of the electors lists the lists of objections to the electors lists the lists of claimants and the lists of objections to claimants for each registration unit comprising one of the Gloucestershire parishes or the Worcestershire parishes as the case may require and shall forthwith notify the registration officer of the parliamentary county of Warwick of his decisions on any objections or claims in respect of any such registration unit.

(2) It shall be the duty of the registration officer of the parliamentary county of Warwick to issue such notices and otherwise to take such steps as are required by rule 23 in the first schedule to the Representation of the People Act 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the same electoral division of the county of Warwick for the purpose of county council elections or in the same parish or ward of a parish for the purpose of rural district council or parish council elections.

(3) Where the registration officer of the parliamentary county of Warwick considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be

made in the electors list of any registration unit comprising one of the transferred parishes he shall forthwith notify the registration officer of the parliamentary county of Gloucester or Worcester (as the case may require) and that officer shall make the correction accordingly.

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(4) This section shall apply to the preparation of the register of electors in the year nineteen hundred and thirty-one and later registers of electors.

Alteration or re-arrangement of local government register.

45.—(1) If the register of local government electors for an 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—

(*a*) the registration officer of the parliamentary county of Warwick in the case of an election or parish meeting for any voting area within the county of Warwick as extended by this order;

(*b*) the registration officer of the parliamentary county of Gloucester in the case of an election or parish meeting for any voting area within the county of Gloucester as diminished by this order; and

(*c*) the registration officer of the parliamentary county of Worcester in the case of an election or parish meeting for any voting area within the county of Worcester as diminished by this order;

shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(2) It shall be the duty of the clerk of the council of any rural district affected by this order and of any officer designated under article 3 of the Overseers Order 1927 by that 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 a registration officer for the purpose of any alteration or re-arrangement authorised by this section.

(3) 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 section and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

Local land charges registers for counties.

46.—(1) The local registrars for the counties of Gloucester and Worcester 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 county of Warwick an office copy of every entry in their registers relating to any premises situate within the Gloucestershire parishes or the Worcestershire

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parishes as the case may require and shall be paid by the county council of Warwick in respect thereof such fees as are prescribed by the said rules.

(2) The local registrar for the county of Warwick shall upon the receipt of the office copy mentioned in subsection (1) of this section enter the particulars contained therein with any necessary modifications in the appropriate part of his local land charges register.

Local land charges registers for rural districts.

47.—(1) On or before the appointed day the local registrar under the Land Charges Act 1925 and the rules made thereunder—

(*a*) for the existing rural district of Shipston-on-Stour shall deliver to the local registrar for the Brailes rural district;

(*b*) for the Marston rural district shall deliver to the local registrar for the Stratford rural district;

the local land charges register for his district and all documents relating to that register.

(2) The local registrar for the existing rural district of Shipston-on-Stour under the Land Charges Act 1925 and the rules made thereunder shall before the appointed day supply to the local registrar for the Stratford rural district an office copy of every entry in his register relating to any premises situate within the parish of Alderminster and shall be paid by the Stratford rural council in respect thereof such fees as are prescribed by the said rules.

(3) Upon the receipt under subsection (1) of this section of the local land charges register for the existing rural district of Shipston-on-Stour the local registrar shall enter with any necessary modifications in an appropriate part of the local land charges register for the Shipston rural district the particulars of such entries in the register for the existing rural district of Shipston-on-Stour as relate to premises within the parishes of Shipston on Stour Tidmington and Tredington.

(4) Upon the receipt of the office copy mentioned in subsection (2) of this section the local registrar for the Stratford rural district shall enter the particulars contained therein with any necessary modifications in the appropriate part of the local land charges register for the existing Stratford rural district and shall incorporate the local land charges register for the Marston rural district with the register for the existing Stratford rural district as amended in pursuance of this subsection.

Transitory provisions as to local land charges registers.

48.—(1) Until the entries in local land charges registers required by the foregoing provisions of this order are made or until the expiration of one month from the appointed day whichever shall be the earlier—

(*a*) the local registrar for the county of Warwick shall give notice to any person desiring to make a personal search

in respect of land situate within any of the transferred parishes that an additional search should be made in the local land charges register of the county from which the parish is transferred;

(*b*) the local registrar for any rural district to which by this order a parish is transferred shall give notice to any person desiring to make a personal search in respect of land situate within that transferred parish that an additional search should be made in the local land charges register of the rural district from which the parish is transferred;

(*c*) when application is made for an official search in the local land charges register of the county of Warwick and the application relates to land situate within any of the transferred parishes the local registrar for that county shall issue free of charge a certificate of official search in his register and shall forward to the local registrar for the county from which the parish is transferred the application received by him together with the fees paid in respect thereof;

(*d*) when application is made for an official search in the local land charges register of any rural district to which by this order a parish is transferred and the application relates to land situate within that transferred parish the local registrar shall issue free of charge a certificate of official search in his register and also if he has the custody of the register of the rural district in which the transferred parish was prior to the transfer comprised in that register or if that register is not in his custody he shall forward to the local registrar having the custody of that register the application received by him together with the fees paid in respect thereof;

(*e*) The local registrar having the custody of the register for the county or rural district from which a parish is by this order transferred 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.

(2) Where a local land charge duly registered in a local land charges register is in pursuance of this order transferred from one county register to another county register or from the register of an existing rural district to the register of an extended rural district 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 Warwickshire register or the register of the extended rural district as the case may require.

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Transfers of lists of prisoners writs &c.

49. Lists of prisoners writs process and particulars and all records and documents relating to or to be executed in connection with any action or proceeding pending or existing immediately before the appointed day and appertaining to any of the transferred parishes shall upon the completion of any pending proceedings be delivered transferred and signed in like manner (as nearly as may be) as is required upon a new sheriff coming into office and as if the sheriff of the county of Warwick were as respects the transferred parishes the new sheriff in succession to the sheriff of the county of Gloucester or the county of Worcester as the case may require.

Precepts of county councils and other local authorities.

50.—(1) Precepts of the county councils for the financial year commencing on the appointed day shall be based on each of the counties as altered by this order and shall be sent to the rating authorities as soon as practicable after the confirmation of this order by Parliament.

(2) The county councils may make such adaptations and alterations of the estimates of the produce of a rate of a penny in the pound furnished to them by any rating authority as may be necessary to bring those estimates into conformity with the alterations of the counties or rating areas made by this order.

(3) It shall be the duty of the clerk of any rating authority to supply each of the county councils with such information as may be necessary for the purposes of subsection (2) of this section.

(4) Notwithstanding the alterations of area effected by this order all precepts made by any local authority 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.

Settlement and irremovability of poor.

51.—(1) Every person resident in any of the transferred parishes immediately before the appointed day who has acquired or is in the course of acquiring—

(*a*) a settlement in the county of Gloucester or the county of Worcester by reason of residence birth or other qualification therein; or

(*b*) a status of irremovability from the county of Gloucester or the county of Worcester by reason of residence therein;

shall be deemed to have acquired or to be in the course of acquiring thereby as the case may require a settlement in or a status of irremovability from the county of Warwick.

(2) For the purposes of this section consecutive periods of residence between the thirty-first day of March nineteen hundred and thirty and the appointed day in any portions of—

(*a*) the county of Gloucester shall be aggregated; or

(*b*) the county of Worcester shall be aggregated;

and in each of those cases shall be reckoned as continuous residence in that part of the county of Gloucester or the county of Worcester (as the case may require) in which the person was residing immediately before the appointed day.

(3) A person resident in a poor law institution or institution for persons of unsound mind immediately before the appointed day shall not for the purposes of this section be deemed to be resident in any of the transferred parishes immediately before the appointed day.

Adaptation of Warwickshire and Coventry orders as to tuberculosis.

52. References in the Warwickshire and Coventry Joint Committee for Tuberculosis Order 1914 and in any order amending that Order to the administrative county of Warwick shall be read as references to that administrative county as altered by this order and by the Gloucestershire and Warwickshire to Worcestershire Transfer Order 1931.

Consent of Electricity Commissioners to purchase of electricity undertaking.

53. Any right of purchasing an electricity undertaking which may be conferred by the Electricity (Supply) Acts 1882 to 1928 and accrues to a local authority affected by this order by reason of the alterations of area thereby made shall not be exercised by that local authority without the consent of the Electricity Commissioners.

Appointment of trustees of certain charities.

54. Any power of appointing trustees of a charity subject to the jurisdiction of the Charity Commissioners which was exerciseable immediately before the appointed day by any county council or district council and which ceases to be exerciseable in consequence of the transfer by this order of a parish to another county or the abolition of that district council by this order may after the appointed day be exercised by such county council or district council as the Charity Commissioners may direct but nothing in this section shall in any way prejudice or affect the power of the Charity Commissioners under the Charitable Trusts Acts 1853 to 1925 to establish a scheme for the regulation of the charity.

Arrears of rates in transferred parishes.

55.—(1) All rates not collected immediately before the appointed day in respect of hereditaments within any of the transferred parishes shall be collected and recovered by the council of the rural district to which the parish is by this order transferred or by the proper officer of that council.

(2) Any sums so collected and recovered in respect of a general rate of the existing rural district of Shipston-on-Stour shall be a matter for adjustment under this order with the council of any rural district to which a part of that existing rural district may be transferred.

Qualification for election as county councillor or rural district councillor.

56.—(1) For the purposes of the determination of the qualification of a person for election after the appointed day as a county councillor or rural district councillor the alterations of counties and districts made by this order shall be deemed to

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have had effect on the first day of April nineteen hundred and thirty.

(2) Any county councillor or rural district 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 a councillor by reason of the alterations of area made by this order.

Audit of accounts of dissolved authorities.

57.—(1) The accounts of the Marston rural council and of the existing rural district council of Shipston-on-Stour and of the committees and officers of those councils shall be made up and audited by the district auditor in like manner and subject to the like incidents as if this order had not been made :

Provided that any sum certified by the district auditor to be due from any person at the audit of the accounts of—

(*a*) the Marston rural council shall be paid to the treasurer of the Stratford rural council;

(*b*) the existing rural district council of Shipston-on-Stour shall be paid to the treasurer of the Shipston rural council.

(2) Any certified sum paid to a treasurer under subsection (1) of this section shall if necessary be a matter for adjustment under this order.

Saving for registration districts and sub-districts.

58. Any scheme made by the county council of Warwick or the Registrar-General under the provisions of section 24 of the Local Government Act 1929 shall make provision for dealing with the transferred parishes but until the date on which a scheme affecting the transferred parishes comes into operation nothing in this order shall affect the area of any existing registration district or sub-district for the purposes of births deaths or marriages without prejudice however to the exercise of the powers contained in the Births and Deaths Registration Acts 1836 to 1929 as to the alteration of registration districts or sub-districts.

Legal proceedings contracts &c.

59.—(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 any of the county councils or the council of any rural district which is affected by this order or save as in this order otherwise provided any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by any of the county councils or the council of any such rural district.

(2) If on the appointed day any action cause of action or proceeding is pending or existing by or against—

(*a*) the Marston rural council; or

(*b*) the existing rural district council of Shipston-on-Stour in relation exclusively to the parish of Alderminster or any part of that parish;

it may be continued prosecuted and enforced by or against the Stratford rural council.

(3) If on the appointed day any action cause of action or proceeding is pending or existing by or against the existing rural district council of Shipston-on-Stour in relation to their existing rural district or in relation exclusively to the parish of Shipston on Stour the parish of Tidmington or the parish of Tredington or any part of one of those parishes it may be continued prosecuted and enforced by or against the Shipston rural council.

(4) All contracts deeds bonds agreements and other instruments subsisting immediately before the appointed day and entered into or made by—

(*a*) the Marston rural council; or

(*b*) the existing rural district council of Shipston-on-Stour in relation exclusively to the parish of Alderminster or any part of that parish;

may be continued and enforced as fully and effectually as if instead of that council the Stratford rural council had been a party thereto.

(5) All contracts deeds bonds agreements and other instruments subsisting immediately before the appointed day and entered into or made by the existing rural district council of Shipston-on-Stour in relation to their existing rural district or in relation exclusively to the parish of Shipston on Stour the parish of Tidmington or the parish of Tredington or any part of one of those parishes may be continued and enforced as fully and effectually as if instead of the existing rural council the Shipston rural council had been a party thereto.

(6) 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.

(7) Any reference in this section to a council shall be read as including a reference to the predecessors of that council.

Other savings.

60. Nothing in this order shall—

(1) restrict the powers of the Secretary of State the Minister or any county council under the Act of 1888 the Local Government Act 1894 or the Local Government Act 1929;

(2) affect the powers of any county council for the division of any parliamentary county into polling districts for parliamentary elections or for the division of any 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;

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(3) alter the area for the supply of gas water or electricity by any company body or local authority under any local Act or any provisional order confirmed by Parliament or under any order made in pursuance of the Gas Undertakings Acts 1920 and 1929 or the Electricity Supply Acts 1882 to 1928 or prejudice or affect the existing powers or charges of any such company body or local authority under any such Act or order;

(4) save as in this order expressly provided with respect to the appointment of trustees of certain charities prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment; or

(5) affect the area within which any bishop parson or other ecclesiastical person has any cure of souls or jurisdiction.

SCHEDULES.

FIRST SCHEDULE.

TRANSFERRED PARISHES AND ELECTORAL DIVISIONS OF THE COUNTY OF WARWICK TO WHICH BY THIS ORDER THEY ARE TRANSFERRED AND THE YEARS IN WHICH RURAL DISTRICT COUNCILLORS RETIRE FROM OFFICE.

Transferred parishes.	Electoral divisions of Warwickshire.	Year in which rural district councillors retire.
1.	2.	3.
GLOUCESTERSHIRE PARISHES.		
Clifford Chambers	Avon.	1932
Dorsington	Avon.	1933
Long Marston (otherwise Marston Sicca).	Avon.	1933
Preston on Stour	Wellesbourne.	1933
Welford-on-Avon	Avon.	1934
Weston-on-Avon	Avon.	1934
WORCESTERSHIRE PARISHES.		
Alderminster	Wellesbourne.	1932
Shipston on Stour	Brailes.	1933
Tidmington	Cherington.	1933
Tredington	Brailes.	1934

SECOND SCHEDULE.

Gloucestershire and Worcestershire to Warwickshire Order.

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 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

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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.

(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.

(9) In this section the expression "the Minister" means the Minister of Health.

COUNTIES OF WORCESTER GLOUCESTER AND WARWICK.

Gloucestershire and Warwickshire to Worcestershire Order.

Provisional Order made in pursuance of the Local Government Act 1888 *for altering county boundaries.*

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

And whereas the seven parishes first named in column 1 of the first schedule to this order and the parishes of Beckford and Forthampton form part of the administrative county of Gloucester

and the parishes of Bickmarsh and Ipsley form part of the administrative county of Warwick; A.D. 1931.

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And whereas representations have been made to the Minister of Health by the county council of Worcester that it is desirable that the boundaries of the counties of Gloucester Warwick and Worcester should be altered so as to transfer the parishes or parts of parishes mentioned in column 1 of the first schedule to this order to the county of Worcester;

And whereas the five parishes first named in the first schedule to this order together with the parish of Pebworth also named in that schedule and four other parishes constitute the rural district of Pebworth in the county of Gloucester;

And whereas the parish of Beckford in the county of Gloucester forms part of the rural district of Winchcomb and the parishes of Forthampton and Kemerton in the county of Gloucester form part of the rural district of Tewkesbury;

And whereas the parish of Bickmarsh in the county of Warwick forms part of the rural district of Stratford-on-Avon and the parish of Ipsley in that county forms part of the rural district of Alcester:

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 Gloucestershire and Warwickshire to Worcestershire Transfer Order 1931.

Interpretation.

2. In this order unless the context otherwise requires—

"County" means an administrative county;

"Existing" means existing immediately before the appointed day;

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

"The appointed day" means the first day of April nineteen hundred and thirty-one;

"The excluded part of Bickmarsh" and "the excluded part of Forthampton" mean respectively that part of each of the existing parishes of the same name which is not by this order transferred to the county of Worcester;

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"The excluded (yellow) part of Beckford" and "the excluded (purple) part of Beckford" mean respectively those parts of the existing parish of Beckford which are coloured yellow and purple on map No. 1 of the parochial maps and are not by this order transferred to the county of Worcester;

"The Minister" means the Minister of Health;

"The parish of Bickmarsh" means that parish as altered by this order;

"The parochial maps" means the duplicate set of maps marked "Parochial maps referred to in the Gloucester-"shire and Warwickshire to Worcestershire Transfer "Order 1931" which maps are also respectively marked and in this order referred to as "map No. 1" "map No. 2" and "map No. 3" and are sealed with the official seal of the Minister;

"The Redditch ward maps" means the duplicate maps marked "Map of the wards of the Redditch Urban "District as extended by the Gloucestershire and "Warwickshire to Worcestershire Transfer Order "1931" and are sealed with the official seal of the Minister;

"The transferred areas" means the parishes and parts of parishes by this order transferred to the county of Worcester;

"The transferred part of Beckford" "the transferred part of Bickmarsh" and "the transferred part of Forthampton" mean the parts of the existing parishes of the same name which on the parochial maps are respectively coloured green on map No. 1 blue on map No. 2 and pink on map No. 3;

"The urban district" means the urban district of Redditch as extended by this order and "the urban council" means the urban district council of Redditch.

Provision for Sundays and public holidays.

3. When the day on which anything is required by this order to be done falls on a Sunday Good Friday or a bank holiday that thing shall be done on the next following day not being one of the days already mentioned.

Commencement of order.

4. Save as otherwise expressly provided this order shall come into operation on the first day of April nineteen hundred and thirty-one:

Provided that for the purposes of 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 financial

year commencing on the appointed day this order shall operate from the date of the Act of Parliament confirming this order.

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PART II.

ALTERATIONS OF COUNTIES RURAL DISTRICTS AND URBAN DISTRICT.

Alterations of county boundaries.

5.—(1) The parishes of—

(*a*) Ashton under Hill;

(*b*) Aston Somerville;

(*c*) Childs Wickham;

(*d*) Cow Honeybourn;

(*e*) Hinton on the Green;

(*f*) Kemerton; and

(*g*) Pebworth;

shall cease to form part of the county of Gloucester and shall be transferred to the county of Worcester.

(2) That part of the existing parish of Beckford which is coloured green on map No. 1 of the parochial maps and that part of the existing parish of Forthampton which is coloured pink on map No. 3 of the parochial maps shall cease to form part of the county of Gloucester and shall be transferred to the county of Worcester.

(3) The parish of Ipsley and that part of the existing parish of Bickmarsh which is coloured blue on map No. 2 of the parochial maps shall cease to form part of the county of Warwick and shall be transferred to the county of Worcester.

Dissolution of Pebworth rural district and transfer of parishes.

6.—(1) The existing rural district of Pebworth shall cease to exist.

(2) The parishes of—

(*a*) Ashton under Hill;

(*b*) Aston Somerville;

(*c*) Childs Wickham;

(*d*) Cow Honeybourn;

(*e*) Hinton on the Green; and

(*f*) Pebworth;

shall be transferred to and form part of the Evesham rural district.

(3) The parishes of—

(*a*) Aston Sub-Edge;

(*b*) Saintbury;

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(*c*) Weston Sub-Edge; and

(*d*) Willersey;

shall be transferred to and form part of the Campden rural district.

Alterations of parishes and their effect on rural districts.

7.—(1) The transferred part of Beckford shall form the parish of Beckford in the rural district of Winchcomb.

(2) The excluded (yellow) part of Beckford shall be transferred to the parish of Dumbleton in the rural district of Winchcomb and the excluded (purple) part of Beckford shall be transferred to the parish of Teddington and the rural district of Tewkesbury.

(3) The transferred part of Bickmarsh shall form the parish of Bickmarsh but shall be separated from the rural district of Stratford-on-Avon and shall form part of the rural district of Evesham.

(4) The excluded part of Bickmarsh shall be transferred to the parish of Dorsington in the rural district of Stratford-on-Avon.

(5) The transferred part of Forthampton shall be transferred to the parish of Eldersfield and the rural district of Upton upon Severn.

(6) The excluded part of Forthampton shall form the parish of Forthampton in the rural district of Tewkesbury.

Parish of Kemerton to continue in Tewkesbury rural district.

8. The parish of Kemerton shall continue to form part of the rural district of Tewkesbury.

Extension of Redditch urban district and wards.

9.—(1) The parish of Ipsley shall be separated from the rural district of Alcester and shall form part of the urban district of Redditch.

(2) The part of the parish of Ipsley which on the Redditch ward maps is coloured—

(*a*) green shall be included within the No. 2 or South Central Ward of the urban district;

(*b*) brown shall be included within the No. 5 or East Ward of the urban district; and

(*c*) blue shall be included within the No. 6 or South Ward of the urban district.

Deposit and copies of parochial maps.

10.—(1) One set of the parochial maps shall be deposited in the office of the Minister and the duplicate set of the parochial maps shall be deposited in the office of the clerk of the county council of Worcester.

(2) A copy of the set of the parochial maps deposited with the clerk of the county council of Worcester certified by him to

be true shall be sent by him forthwith after the confirmation of this order by Parliament to the Board of Inland Revenue the Registrar-General the Board of Trade the Minister of Transport the Minister of Agriculture and Fisheries the Electricity Commissioners the Postmaster-General the Secretary of State the clerk of the county council of Gloucester and the clerk of the county council of Warwick.

(3) A copy certified by the clerk of the county council of Worcester to be true of any map deposited with him which indicates an area by this order transferred from one existing parish to another existing parish shall be sent by the clerk of the county council of Worcester—

(*a*) to the clerks of the councils of the rural districts in which the area is at the date of this order and will by virtue of this order be comprised; and

(*b*) to the parochial officer of each of the existing parishes from which and to which that area is transferred.

(4) In this section the expression "parochial officer" means the clerk of the parish council of the existing parish or if the existing parish has not a parish council the chairman of the parish meeting of the existing parish.

Copies of parochial maps to be evidence.

11.—(1) Copies of or extracts from the parochial maps deposited with the clerk of the county council of Worcester certified by that clerk to be true shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of the maps so far as they relate to the transfer by this order of part of an existing parish to another parish.

(2) The parochial maps so deposited shall at all reasonable times be open to inspection by any person liable to any rate leviable within any existing parish which by this order is altered and any such person shall be entitled to a copy of or extract from the parochial maps certified by the clerk of the county council of Worcester to be true on payment of a reasonable fee to be determined by the county council of Worcester.

(3) All fees so received shall be carried to the credit of the county fund of Worcester.

Deposit and copies of Redditch ward maps.

12.—(1) One of the Redditch ward maps shall be deposited in the office of the Minister and the duplicate map shall be deposited in the office of the clerk of the county council of Worcester.

(2) Copies of the Redditch ward map deposited with the clerk of the county council of Worcester and certified by him to be true shall be sent by him forthwith after the confirmation

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of this order by Parliament to the clerk of the urban council the Registrar-General and the Minister of Agriculture and Fisheries.

PART III.

COUNTY AND DISTRICT COUNCILLORS.

Election and continuance in office of county councillors.

13.—(1) The ordinary election of county councillors in the present year shall be held for the existing counties and for the existing electoral divisions of those counties.

(2) Notwithstanding the alterations of area made by this order any person elected at the ordinary election of county councillors in the present year to represent an existing electoral division affected by this order shall continue a member of the county council to which he was elected unless and until other provision shall be made in an order of the Secretary of State for the alteration of electoral divisions.

County electoral divisions.

14. As from the appointed day each of the transferred areas shall form part of the electoral division of the county of Worcester named in column 2 of the first schedule to this order opposite the name of the transferred area in column 1 of that schedule.

Urban district councillors for Redditch.

15.—(1) The ordinary election of urban district councillors for Redditch in the present year shall be held for the existing wards of that urban district but any councillor elected at that election shall come into office on the appointed day and any councillor elected for a ward which is extended by this order shall represent that ward as so extended.

(2) Any councillor for an existing ward of the urban district of Redditch who is due to retire from office on the fifteenth day of April nineteen hundred and thirty-one shall retire from office on the appointed day.

(3) Those urban district councillors for the existing wards of the urban district of Redditch which are extended by this order and who are not due to retire from office on the fifteenth day of April nineteen hundred and thirty-one shall on the appointed day become the councillors for those wards as extended by this order.

Elections of rural district councillors and parish councillors in present year.

16. The ordinary elections of rural district councillors and parish councillors in the present year shall be held for the existing rural districts and the existing parishes :

Provided that at the ordinary election of rural district councillors for the Alcester rural district there shall be no election

of a rural district councillor for the parish of Ipsley nor shall an election of parish councillors for the parish of Ipsley be held.

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Rural district councillors representing parishes added to Campden rural district.

17.—(1) The persons elected at the ordinary election in the present year of rural district councillors for the Pebworth rural district to represent the parishes of Aston Sub-Edge Saintbury Weston Sub-Edge and Willersey shall come into office on the appointed day and shall represent those parishes on the Campden rural district council.

(2) The existing rural district councillors who represent the parishes mentioned in subsection (1) of this section on the Pebworth rural district council shall retire from office on the appointed day.

(3) Those rural district councillors who by virtue of subsection (1) of this section will represent the parishes of Saintbury and Weston Sub-Edge shall retire from office on the fifteenth day of April nineteen hundred and thirty-three and those rural district councillors who by virtue of that subsection will represent the parishes of Aston Sub-Edge and Willersey shall retire from office on the fifteenth day of April nineteen hundred and thirty-four.

Rural district councillors for transferred or altered parishes.

18.—(1) Any person in office immediately before the appointed day as a rural district councillor for the parish of Ipsley shall retire from office on the appointed day.

(2) Subject to subsection (1) of this section any person in office immediately before the appointed day as a rural district councillor for a transferred parish or an existing parish which is altered by this order who is due to retire from office on the fifteenth day of April nineteen hundred and thirty-one shall retire from office on the appointed day and any person elected at the ordinary election of rural district councillors in the present year to represent any such transferred parish or altered parish shall come into office on the appointed day.

(3) Any person elected at the ordinary election of rural district councillors in the present year to represent a transferred parish or an existing parish which is altered by this order shall as from that day represent that transferred parish or altered parish as a councillor for the rural district in which the parish will by virtue of this order be situate.

(4) Any rural district councillor for a transferred parish or an existing parish which is altered by this order who is not due to retire from office on the fifteenth day of April nineteen hundred and thirty-one shall as from the appointed day represent that transferred parish or altered parish as a councillor for the rural district in which the parish will by virtue of this order be

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situate and shall retire from office on the day on which he would have retired from office if this order had not been made:

Provided that the term of office of any rural district councillor for the parish of Bickmarsh shall be extended so as to expire on the fifteenth day of April nineteen hundred and thirty-four.

Qualification for election as a county councillor or district councillor.

19. For the purposes of the determination of the qualification of a person for election after the appointed day as a county councillor or district councillor the alterations of counties districts and parishes made by this order shall be deemed to have had effect on the first day of April nineteen hundred and thirty.

PART IV.

COUNTY ADMINISTRATION.

Assizes sessions sheriff lieutenant coroner territorial army jurors &c.

20.—(1) For the purposes of any commission of assize oyer and terminer or gaol delivery and for the purposes of sheriff lieutenant and territorial army and the making up of the jurors book and the qualification and service of jurors the transferred areas shall form part of the county of Worcester.

(2) The powers and duties of the quarter sessions justices coroners and clerk of the peace of the county of Worcester and of the police constables and other peace officers of that county shall extend to the transferred areas.

(3) Each of the transferred areas shall form part of the petty sessional division of the county of Worcester named in column 3 of the first schedule to this order opposite the name of the transferred area in column 1 of that schedule.

(4) The excluded (purple) part of Beckford shall be transferred from the Winchcombe petty sessional division of the county of Gloucester to the Tewkesbury petty sessional division of that county.

(5) The parish of Ipsley shall form part of the North coroner's district of the county of Worcester and the remainder of the transferred areas shall form part of the South coroner's district of that county.

(6) Save as expressly provided by this section any part of an existing parish which is altered by this order shall continue to form part of the petty sessional division or coroner's district in which immediately before the appointed day it is comprised.

(7) Notwithstanding the foregoing provisions of this section—

(*a*) Until the jurors books prepared next after the appointed day come into force each of the transferred areas shall for the purposes of summoning jurors and of

jury service be deemed to continue to form part of the existing county in which it is comprised; and

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(*b*) Every person committing an offence in any of the transferred areas or any parish which is altered by this order prior to the appointed day shall be tried and dealt with as if this order had not been made and every proceeding which prior to the appointed day has been begun by or before any court or justice or coroner in relation to any matter arising in or concerning any of the transferred areas or any parish which is altered by this order may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this order had not been made.

Determination of agreements in second schedule to this order.

21. The agreements made between the county council of Gloucester or the Gloucester standing joint committee of the one part and the county council of Worcester or the Worcestershire standing joint committee of the other part of which particulars are given in the second schedule to this order shall on the appointed day cease to have effect without prejudice however to the recovery of any sum which may then be due to either party to an agreement.

Transfer of Gloucestershire police to Worcestershire police.

22.—(1) On the appointed day such number of the members of the police force of the county of Gloucester as before that day shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committees of the counties of Gloucester and Worcester or in default of agreement by the Secretary of State shall be transferred to and become part of the police force of the county of Worcester:

Provided that no member of the Gloucestershire police force shall be transferred under this section without his consent.

(2) Every member of the Gloucestershire police force so transferred shall hold office in the Worcestershire police force upon the same tenure and upon the same terms and conditions as the other serving members of the Worcestershire police force of the same rank as that member and any period of service which the person transferred was entitled to reckon before the transfer for purposes of pay promotion or pension in the Gloucestershire police force shall be reckoned for the same purpose in the Worcestershire police force:

Provided that where the scale of ordinary pensions applicable to a member of the police force who is so transferred is by virtue of section 29 (1) (*a*) of the Police Pensions Act 1921 a scale other than that prescribed in Part I of the first schedule to that Act that scale shall continue to apply to him as if he had not been so transferred.

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(3) The provisions of subsection (2) of section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of a police force transferred under this section as if that member had removed with the written sanction of the chief constable of Gloucestershire and notwithstanding that at the date of the transfer that member may not have completed one year's approved service in the Gloucestershire police force.

Transfer of Gloucestershire police station or constables' residence &c.

23. Any county police station situate within any area by this order transferred from the county of Gloucester and any residence for a constable or cell so situate and the fittings and furniture of any such police station residence or cell shall by virtue of this order be transferred to and vest in the county council of Worcester on the appointed day for all the estate and interest therein of the county council of Gloucester and section 62 of the Act of 1888 as adapted and set out in the third schedule to this order shall apply for the purpose of any adjustment which may be required in consequence of the transfer made by this section.

Transfer of public elementary schools &c.

24.—(1) For the purposes and subject to the provisions of the Education Act 1921—

(*a*) Any public elementary school provided by the county council of Gloucester or the county council of Warwick as local education authority and situate within any of the transferred areas and the furniture fittings books and apparatus belonging to that county council of any public elementary school within any of the transferred areas shall by virtue of this order be transferred to and vest in the county council of Worcester as the local education authority for all the estate and interest therein of the county council of Gloucester or the county council of Warwick as the local education authority;

(*b*) All contracts debts and liabilities which immediately before the appointed day are existing or are owing by or attach to the county council of Gloucester or the county council of Warwick in respect exclusively of any public elementary school within any of the transferred areas or of the furniture fittings books or apparatus or with respect to the officers teachers and servants of any public elementary school so situate shall by virtue of this order enure to and be carried into effect by and be discharged and satisfied by the county council of Worcester as the local education authority;

(*c*) Section 68 of the Local Government Act 1894 shall apply with respect to any adjustment required for the purposes of this section;

(*d*) Subject to any adjustment which may hereafter be made the liability for repayment of so much of any loan raised exclusively in respect of any public elementary school or of the furniture fittings or apparatus transferred to and vested in the county council of Worcester by virtue of this order as is owing immediately before the appointed day and the liability for the payment of interest on that part of any such loan shall by virtue of this order be transferred and attach to the county council of Worcester as the local education authority and so much of any such loan as is then owing shall be charged on the fund or rate out of which the expenses in relation to elementary education of the county council of Worcester are payable and shall be repaid by that county council within the period (if any) for which that part of the loan was originally sanctioned or within which that part of the loan is otherwise required to be repaid or is made repayable.

(2) In this section the expression " public elementary school " includes the site and schoolhouse and also any land acquired and held by the county council of Gloucester or the county council of Warwick as the local education authority for purposes of elementary education.

School managers appointed by county council.

25. Any manager of any public elementary school within any of the transferred areas who was appointed by the county council of Gloucester or the county council of Warwick shall vacate office on the appointed day and a successor shall be appointed by the county council of Worcester.

Guardians committee areas and administrative schemes.

26.—(1) Each of the transferred areas mentioned in column 1 of the first schedule to this order shall be transferred to that guardians committee area of the county of Worcester which is mentioned in column 4 of that schedule opposite the name of the transferred area in column 1 of the schedule.

(2) The excluded (purple) part of Beckford shall be transferred from the Winchcombe guardians committee area of the county of Gloucester to the Tewkesbury guardians committee area of that county.

(3) With respect to the scheme made by the county council of Gloucester under part I of the Local Government Act 1929 the following provisions shall have effect—

(*a*) The references in the schedule to the Pebworth rural district as a county district comprised in the Campden guardians committee area and to the number of members to be nominated by the council of the Pebworth rural district shall cease to have effect and any person

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so nominated shall on the appointed day retire from office as a member of the guardians committee for the Campden area;

(*b*) The number of members of the Campden guardians committee to be nominated by the council of the Campden rural district shall be increased from five to eight and the first nomination of the three additional members shall be made as soon as practicable after the appointed day.

(4) The schedule to the scheme made by the county council of Worcester under part I of the Local Government Act 1929 shall be modified by the substitution of eight for five as the number of members of the guardians committee for the Evesham area to be nominated by the rural district council of Evesham and the first nomination of the three additional members shall be made as soon as practicable after the appointed day.

(5) Subject to the provisions of this section and of any other order of the Minister any person who immediately before the appointed day is a representative on any guardians committee of—

(*a*) the urban council or the council of any rural district which is altered but not abolished by this order shall continue to represent that council; or

(*b*) the council of any county which is altered by this order shall be deemed to represent the council of that county as so altered.

Adaptation of Joint Vagrancy Orders.

27. Any reference to the county of Gloucester in the Gloucester and Somerset Joint Vagrancy Committee Order 1930 shall be read as a reference to that county as diminished by this order and any references to either of the counties of Warwick and Worcester in the South Midland Joint Vagrancy Committee Order 1930 shall be read as references to that county as altered by this order.

Assessment areas and committees.

28.—(1) Those of the transferred areas mentioned in column 1 of the first schedule to this order opposite which an entry occurs in column 5 of that schedule shall be transferred to the assessment area which is mentioned in column 5 opposite the name of the transferred area in column 1 of the schedule.

(2) The County of Gloucester (Assessment Areas and Assessment Committees) Scheme 1926 shall have effect as if references to the Pebworth rural district as a rating area comprised within the Shipston-on-Stour assessment area and to the council of that district were omitted from the schedule to the scheme and that schedule shall be modified by the substitution of six for four as the number of members of the assessment committee to be appointed by the Campden rural district council.

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(3) In the schedule to the County of Worcester (Assessment Areas and Assessment Committees) Scheme 1926 five shall be substituted for three as the number of members of the No. 5 or South Worcestershire assessment committee to be appointed by the Evesham rural district council.

(4) The first appointment of additional members of an assessment committee under subsections (2) and (3) of this section shall be made as soon as practicable after the appointed day.

(5) Subject to the provisions of this section and of any other order of the Minister any person who immediately before the appointed day represents on any assessment committee the council of any urban or rural district which is altered but not abolished by this order shall continue to represent that council.

County roads and bridges within transferred areas.

29.—(1) All county roads and county bridges within any of the transferred areas shall by virtue of this order be transferred to and vest in the county council of Worcester and as respects any county road or county bridge transferred by this section that county council may exercise the powers conferred and shall be subject to the duties imposed on a county council in relation to county roads and county bridges by part III of the Local Government Act 1929:

Provided that any unclassified road within the parish of Ipsley and the liability for the maintenance and repair thereof shall by virtue of this order be transferred to vest in and attach to the urban council and the county council of Worcester shall not exercise as respects any unclassified road within that parish any powers or duties under part I or part II of the first schedule to the Local Government Act 1929.

(2) Where in pursuance of section 35 of the Local Government Act 1929 powers or duties of the county council of Worcester in relation to roads or bridges have been delegated to the council of an existing urban district or rural district which by this order is extended the delegation shall extend to the council of that district as so extended.

Housing (Rural Workers) Act 1926.

30. The schemes of the county councils of Gloucester and Warwick under the Housing (Rural Workers) Act 1926 shall cease to extend to any of the transferred areas to which either of those schemes applies and the scheme of the Worcester county council under that Act shall extend and apply to those of the transferred areas which on and after the appointed day will not be comprised in the Tewkesbury rural district.

Insurance committees.

31.—(1) The Minister may by order at any time after the passing of the Act of Parliament confirming this order make such provisions as appear to him to be necessary for transferring

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to the insurance committee for the county of Worcester such of the property rights and liabilities of the insurance committee for the county of Gloucester or the county of Warwick as relate to persons resident in the transferred areas.

(2) An order made under this section may authorise the insurance committee for the county of Gloucester or the county of Warwick to continue to act as insurance committee for any of the transferred areas until such date not being later than the thirty-first day of December nineteen hundred and thirty-one as may be specified in the order and may for that purpose postpone the operation of this order so far as relates to the rights and duties of the respective insurance committees for the counties affected until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

(3) An order under this section may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order under this section the persons who immediately before the appointed day are members of the insurance committee for one of the existing counties of Gloucester Warwick and Worcester shall be deemed to have been appointed or elected as and shall be the members of the insurance committee for that county as altered by this order.

Adjustment for purposes of Licensing (Consolidation) Act 1910.

32.—(1) An equitable adjustment shall be made between the compensation authorities for the counties of—

(*a*) Gloucester and Worcester; and

(*b*) Warwick and Worcester;

respecting the interest of the transferred areas in any compensation fund for the existing county of Gloucester or the existing county of Warwick constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

(2) The adjustments under subsection (1) of this section shall be made by agreement between the compensation authorities concerned within twelve months after the appointed day or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of any such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 as adapted and set out in the third schedule to this order and the provisions of that Act shall apply accordingly.

(4) For the purposes of this section the expression "compensation authorities" means compensation authorities within the meaning of the Licensing (Consolidation) Act 1910.

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Register of nursing homes.

33.—(1) The clerks of the county councils of Gloucester and Warwick shall before the appointed day send the clerk of the county council of Worcester a copy of every entry in the register of the Gloucester county council or the Warwick county council under the Nursing Homes Registration Act 1927 which relates to any nursing home situate within the areas by this order transferred from Gloucestershire or Warwickshire and the clerk of the county council of Worcester shall include in the register of the Worcester county council under that Act the particulars furnished to him under this subsection.

(2) Any exemption in force immediately before the appointed day from the operation of the Nursing Homes Registration Act 1927 which may have been granted by the county council of Gloucester or the county council of Warwick in respect of premises within any of the transferred areas shall continue in force until the exemption shall expire.

Wild Birds Protection Orders.

34. Any order of the county council of Worcester under the Wild Birds Protection Acts 1880 to 1908 which immediately before the appointed day is in force within the existing urban district of Redditch or within the parishes within the existing county of Worcester of an existing rural district which will on and after the appointed day comprise one of the transferred areas shall extend and apply to that transferred area in substitution for any order of the county council of Gloucester or the county council of Warwick under those Acts which may be in force in the transferred area.

Byelaws of county councils and standing joint committees.

35. Any byelaws made by the county council of Worcester or by the standing joint committee of that county which immediately before the appointed day are in force—

(*a*) within the existing urban district of Redditch; or

(*b*) within the parishes within the existing county of Worcester of an existing rural district which will on and after the appointed day comprise one of the transferred areas;

shall extend and apply to any area by this order transferred to that urban or rural district in substitution for any byelaws of the county council of Gloucester or the county council of Warwick or the standing joint committee of either of those counties which may be in force within the transferred area:

Provided that any proceedings which if this order had not been made might have been taken by the county council of

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Gloucester or the county council of Warwick or by the standing joint committee of one of those counties for any offence committed before the appointed day within any of the transferred areas against any byelaws which by virtue of this section cease to apply to an area may be taken by the county council of Worcester or by the standing joint committee of that county as the case may require and as if the byelaws had remained in force within that area.

PART V.

PROVISIONS CONSEQUENT ON EXTENSION OF REDDITCH URBAN DISTRICT.

Property and liabilities of Alcester rural council.

36.—(1) All property and liabilities which immediately before the appointed day are vested in or attach to the Alcester rural district council in relation exclusively to the parish of Ipsley or any part of that parish shall by virtue of this order be transferred to vest in and attach to the urban council.

(2) Any property and liabilities which immediately before the appointed day are vested in or attach to the Alcester rural district council in relation to the parish of Ipsley or any part of that parish conjointly with any other area shall be a matter for adjustment under this order with the urban council.

Balance of special rate in Ipsley.

37. Any balance immediately before the appointed day in the hands of the Alcester rural district council which may have been derived from any special rate levied by them within the parish of Ipsley shall be paid to the urban council.

Extension of adoptive Acts and orders in force in Redditch urban district.

38. Subject to the provisions of this order—

(1) any adoptive Act or order of a government department; or

(2) any order made by the urban council or their predecessors;

which immediately before the appointed day is in force within the whole of the existing urban district of Redditch shall extend and apply to the parish of Ipsley in substitution for any such Act or order which may be in force in that parish.

Extension of Redditch joint burial district.

39.—(1) The Burial Acts 1852 to 1906 shall be in force within and apply to the urban district and the parish of North Redditch and the Redditch joint burial committee who act for the existing urban district of Redditch and that parish shall be deemed to have been appointed for the urban district and for the parish of North Redditch.

(2) All property and liabilities under the Burial Acts 1852 to 1906 which immediately before the appointed day are held by or

attach to the urban council and the parish meeting or representative body of the parish of North Redditch on behalf of the existing urban district and that parish shall be held by or attach to those authorities on behalf of the urban district and that parish.

(3) Any table of fees and charges in force in respect of any existing burial ground maintained by the Redditch joint burial committee shall extend and apply to inhabitants of the burial area as extended by this order as that table applies to inhabitants of the existing burial area.

Byelaws regulations scales of charges &c. in extended urban district.

40.—(1) Any byelaws and any scale of charges made by the Redditch urban district council or by the Alcester rural district council and in force within the existing urban district of Redditch or within the parish of Ipsley immediately before the appointed day shall continue to apply to the existing urban district of Redditch or to that parish as the case may be until repealed or altered by byelaws or a scale of charges made by the urban council.

(2) In their application to the parish of Ipsley any byelaws or scale of charges made by the Alcester rural district council shall have effect as if they had been made by the urban council.

(3) Any proceedings which if this order had not been made might have been taken by the Alcester rural district council for any offence committed before the appointed day within the parish of Ipsley against any byelaws of that council may be taken by the urban council as if the urban council had been substituted therein for the rural district council.

(4) In this section the expression "byelaws" includes any regulation and the expression "scale of charges" includes any list of tolls or table of fees or payments not prescribed by byelaws and any reference in this section to byelaws made by the urban council or the Alcester rural district council shall be read as including a reference to byelaws made by the predecessors of that council.

Isolation hospital district.

41. The parish of Ipsley shall form part of the Bromsgrove Droitwich and Redditch Hospital District as constituted by the Bromsgrove Droitwich and Redditch Hospital (County of Worcester) Order 1896.

Town planning.

42. Any proceeding under the Town Planning Act 1925 or any enactment thereby repealed (including any agreement order approval consent or notice under that Act or repealed enactment) which may have been taken by the Alcester rural district council shall in so far as it extends to any land within the parish of Ipsley have effect as if it had been taken by the urban council in respect of that land.

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

43. For the purposes of all valuation lists of the urban district 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 parish of Ipsley 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 37 per cent. and such adjustments of the value of those hereditaments shall be made by the urban council as may be necessary to give effect to the provisions of this section.

Valuation list for Ipsley.

44. The division of the valuation list for the existing Alcester rural district which relates to the parish of Ipsley shall be transferred to the urban council and subject to such adjustments of the rateable value of hereditaments within the parish of Ipsley as are required by the preceding section of this order shall form the division of the valuation list for the urban district relating to the parish of Ipsley.

Order as to charities under 56 & 57 Vict. c. 73. s. 33.

45. Nothing in this order shall be deemed to include in the order relating to charities of the Local Government Board made under section 33 of the Local Government Act 1894 and dated the fifteenth day of October eighteen hundred and ninety-six a reference to the parish of Ipsley as a parish comprised within the urban district of Redditch.

Dissolution of Ipsley parish council.

46.—(1) The parish council of Ipsley shall cease to exist and shall liquidate as far as practicable before the appointed day all current debts and liabilities incurred by them.

(2) All powers and duties vested in or imposed on the parish council of Ipsley shall be transferred to vest in and attach to the urban council.

(3) All property and liabilities which immediately before the appointed day are vested in or attach to the parish council of Ipsley shall by virtue of this order be transferred to vest in and attach to the urban council.

PART VI.

DISSOLUTION OF PEBWORTH RURAL COUNCIL AND PROVISIONS CONSEQUENT ON EXTENSION OF RURAL DISTRICTS AND ALTERATION OF PARISHES.

Dissolution of Pebworth rural council and liquidation of debts.

47.—(1) Upon the appointed day the Pebworth rural district council shall be dissolved and shall cease to exist.

(2) The Pebworth rural district council shall before the appointed day liquidate as far as practicable all current debts and liabilities incurred by them.

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Housing schemes of Pebworth rural council.

48.—(1) Upon the appointed day the estate or interest of the Pebworth rural district council in such of the houses provided by that council under the Rural Housing Schemes as are situate within—

(*a*) the parishes of their district which by this order are transferred to the Campden rural district; or

(*b*) the parishes of their district which by this order are transferred to the Evesham rural district;

shall by virtue of this order be transferred to and vest in the council of the rural district to which the parish in which the house is situate is transferred as the authority for the execution of the Housing Acts 1925 and 1930.

(2) The rights liabilities obligations and property attaching to or vested in the Pebworth rural district council in relation to the Rural Housing Schemes shall be a matter for adjustment under this order between the rural district councils of Campden and Evesham.

(3) In this section the expression "the Rural Housing Schemes" means the housing schemes of the Pebworth rural district council formulated for their existing district under the Housing Town Planning &c. Act 1919 the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 and the Housing Act 1925.

Property and liabilities of Pebworth rural council and joint water committee.

49.—(1) Any property or liabilities which immediately before the appointed day are vested in or attach to the Pebworth rural district council in relation exclusively to any parish within the rural district or any portion of any such parish shall by virtue of this order be transferred to vest in and attach to the council of the rural district to which the parish is by this order transferred.

(2) Any property or liabilities which immediately before the appointed day are vested in or attach to the Evesham and Pebworth joint water committee or the Pebworth rural district council on behalf of that joint water committee shall by virtue of this order be transferred to vest in or attach to the Evesham rural district council and any such property shall be held by that council on behalf of the parishes of their district for which the joint water scheme was provided and any such liabilities shall subject to the provisions of section 56 of the Local Government Act 1929 be charged upon and defrayed from the special rates of those parishes.

(3) Subject to the provisions of this order any property or liabilities which immediately before the appointed day are vested in or attach to the Pebworth rural district council in relation to any parish within the rural district or any portion of any such parish conjointly with any other part of the rural district shall

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by virtue of this order be transferred to vest in and attach to the Evesham rural district council but shall be a matter for adjustment under this order with the Campden rural district council.

Property and liabilities of rural councils where part only of a parish transferred.

50. Subject to the provisions of this order—

(1) Any property or liabilities which immediately before the appointed day are vested in or attach to any rural district council in relation exclusively to a part of a parish which by this order is transferred from one rural district to another rural district shall by virtue of this order be transferred to vest in and attach to the council of the rural district to which the part of the parish is transferred;

(2) Any property or liabilities which immediately before the appointed day are vested in or attach to any rural district council in relation to a part of a parish which by this order is transferred from one rural district to another rural district conjointly with any other part of the rural district shall be a matter for adjustment under this order with the council of any rural district to which the part of the parish is transferred.

Balances of rates.

51.—(1) Any balance immediately before the appointed day in the hands of the council of any existing rural district which may have been derived from any special rate levied by them on any parish which by this order is transferred to another rural district shall be paid to the council of the district to which the parish is transferred.

(2) Any balance immediately before the appointed day in the hands of the council of any existing rural district which may have been derived from—

(*a*) any general rate levied by them on the rural district; or

(*b*) any special rate levied by them on any existing parish of which part is by this order transferred to another rural district;

shall be a matter for adjustment under this order.

Extension of adoptive Acts or orders to added areas and altered parishes.

52.—(1) Subject to the provisions of this order—

(*a*) any adoptive Act or order of a government department; or

(*b*) any order made by a rural district council or their predecessors;

which immediately before the appointed day is in force within the whole of any existing rural district to which a parish or a part of a parish is by this order transferred shall extend and apply to that parish or part of a parish in substitution for any such Act or order which may be in force in the transferred area as forming part of the existing rural district from which the area is transferred.

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(2) Any adoptive Act which may have been adopted by the parish meeting or other parochial authority of any rural parish which by this order is transferred to another rural district shall continue in force within that parish.

(3) Any order of a government department which immediately before the appointed day is in force within any rural parish which by this order is transferred to another rural district and does not extend to the whole of the existing rural district in which the parish is comprised shall continue to apply to that parish subject to the substitution in any such order of the council of the rural district to which the parish is by this order transferred for the existing rural district council.

(4) Subject to subsection (1) of this section any adoptive Act or order of a government department which is in force immediately before the appointed day within any rural parish the area of which by this order is altered shall be in force within that parish as so altered.

Byelaws regulations and scales of charges relating to rural districts.

53.—(1) Any byelaws and any scale of charges made by the council of a rural district which is affected by this order and in force immediately before the appointed day within any parish the whole or a part of which by this order is transferred to another rural district—

(*a*) if made before the first day of January nineteen hundred and twenty shall continue to apply to the existing parish in which they are in force for one year after the appointed day (unless previously repealed or altered by byelaws made by the council of the rural district to which the parish or part of a parish is by this order transferred) but shall on the expiration of the period aforesaid cease to be in force within any part of that parish;

(*b*) if made on or after the first day of January nineteen hundred and twenty shall continue to apply to the existing parish in which they are in force until repealed or altered by byelaws made by the council of the rural district to which the parish or part of a parish is by this order transferred.

(2) In their application to a parish or part of a parish by this order transferred to another rural district any byelaws and scale of charges made by the council of the rural district from which the parish or part of a parish is transferred shall have effect as if they had been made by the council of the rural district to which the parish or part of a parish is transferred.

(3) Any proceedings which if this order had not been made might have been taken by the council of a rural district from which a parish or part of a parish is by this order transferred in respect

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of any contravention of byelaws occurring within the transferred parish or part of a parish before the appointed day may be taken by the council of the rural district to which the parish or part of a parish is by this order transferred as if the byelaws had been made by that council.

(4) In this section the expression "byelaws" includes any regulation and the expression "scale of charges" includes any list of tolls or tables of fees or payments not prescribed by byelaws and any reference in this section to byelaws made by a rural district council shall be read as including a reference to byelaws made by the predecessors of that council.

Valuation lists.

54.—(1) Those portions of the valuation list for an existing rural district which relate to hereditaments within any parish or part of a parish which is by this order transferred from one rural district to another rural district shall be transferred to the council of the rural district to which the parish or part of a parish is by this order transferred and shall form part of the valuation list for that rural district.

(2) Where part of a parish by this order is transferred to another parish within the same rural district appropriate alterations shall be made in the divisions of the valuation list for the rural district which relate to the parishes so altered.

Parish councils parish meetings and representative bodies of rural parishes.

55.—(1) The parish council or representative body of any existing parish which is altered by this order shall be the parish council or representative body of that parish as so altered.

(2) All property and liabilities which immediately before the appointed day are vested in or attach to the parish council parish meeting or representative body of any existing parish which is altered by this order shall continue vested in or attach to the parish council parish meeting or representative body of that parish as so altered but shall if necessary be a matter for adjustment under this order.

Determination of Pebworth and Evesham agreements as to water supply.

56.—(1) The agreements dated the twenty-ninth day of July and the fourth day of November eighteen hundred and ninety-five made between the rural district councils of Pebworth and Evesham and relating to a supply of water to certain of the parishes of the Pebworth rural district which by this order are transferred to the Evesham rural district shall cease to have effect without prejudice however to the payment of any sum which may be due on the appointed day under either agreement to a party to the agreement.

(2) The Evesham and Pebworth joint water committee shall cease to exist.

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Supply of water in bulk to certain parishes in Evesham rural district.

57.—(1) The agreement dated the second day of August nineteen hundred and thirteen and made on behalf of the Evesham and Pebworth joint water committee of the one part and the Evesham rural district council of the other part providing for a supply by the joint water committee of water in bulk to the Evesham rural district council for consumption in the parish of Aldington and certain of the other parishes within the existing Evesham rural district shall cease to have effect without prejudice however to the payment of any sum which may be due on the appointed day to the joint water committee.

(2) Notwithstanding the determination of the agreement mentioned in subsection (1) of this section the Evesham rural district council shall continue to afford a supply of water in bulk to those parishes to which a supply is being afforded immediately before the appointed day by the joint water committee under the agreement and that supply shall be given upon the terms and conditions set out in the agreement and at the annual rent payable to the joint water committee immediately before the appointed day :

Provided that those terms and conditions and the annual rent may from time to time be varied by a financial adjustment under the applied provisions set out in the third schedule to this order made between the Evesham rural district council on the one hand and those district councillors on the other hand for the extended Evesham rural district who for the time being represent the parishes for which the joint water scheme was provided.

(3) In default of agreement as to a financial adjustment under subsection (2) of this section the adjustment shall be made under the applied provisions set out in the third schedule to this order by an arbitrator appointed in the manner prescribed by those provisions.

Evesham joint hospital district.

58.—(1) Those parishes of the Pebworth rural district which by this order are transferred to the Campden rural district shall cease to form part of the district (in this section referred to as "the joint hospital district") of the Evesham joint hospital board.

(2) Those parishes of the Pebworth rural district which by this order are transferred to the Evesham rural district shall continue to form part of the joint hospital district.

(3) The transferred part of Bickmarsh shall form part of the joint hospital district.

(4) The interest or share of those parishes of the Pebworth rural district which by virtue of this section cease to form part of the joint hospital district shall be a matter for adjustment

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under this order between the Campden rural district council and the Evesham joint hospital board and a financial adjustment shall if necessary be made under this order between the Evesham rural district council and the Evesham joint hospital board in respect of the inclusion within the joint hospital district of the transferred part of Bickmarsh.

(5) Subject to any further order of the Minister any representative of the Evesham rural district council or the Pebworth rural district council on the Evesham joint hospital board shall continue in office until a fresh election of representatives by the Evesham rural district council is held.

Evesham and Pershore District smallpox hospital committee.

59.—(1) Those parishes of the Pebworth rural district which by this order are transferred to the Evesham rural district and the transferred part of Bickmarsh shall form part of the district of the Evesham and Pershore District smallpox hospital committee constituted under the Isolation Hospital Acts 1893 and 1901 by order of the county council of Worcester.

(2) A financial adjustment shall be made under this order between the Evesham rural district council and the Evesham and Pershore District smallpox hospital committee in respect of the extension of the district of that committee made by subsection (1) of this section.

Tewkesbury joint hospital district.

60. The excluded (purple) part of Beckford shall form part of the district of the Tewkesbury joint hospital board and the transferred part of Forthampton shall cease to form part of the district of that joint board.

PART VII.

OFFICERS.

Meaning in this part of certain expressions.

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

"Compensating authority" means an authority to whom an application for compensation under this part of this order is made;

"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 and every teacher employed in a public elementary school which is maintained by a local education authority.

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Transfer of certain officers of Gloucester county council.

62. Any person who on the date of the Act of Parliament confirming this order is employed by the county council of Gloucester in the surveying making maintenance or repair of roads within those parishes of the Pebworth rural district which by this order are transferred to the county of Worcester or under the Poor Law Act 1930 for a district which is wholly comprised within the parishes aforesaid shall on the appointed day as respects that office be transferred to and become an officer of the Worcester county council.

Transfer of certain officers of rural district councils and joint water committee.

63.—(1) Any person who on the date of the Act of Parliament confirming this order is an officer of—

(*a*) any existing rural district council and is employed for the purposes of any scheme the expenses of which are defrayed from a special rate levied on a parish of the existing rural district which by this order is transferred to another rural district shall on the appointed day as respects that office be transferred to and become an officer of the council of the rural district to which the parish is transferred;

(*b*) the Pebworth rural district council for whose transfer provision is not otherwise made by this section shall on the appointed day be transferred to and become an officer of the Evesham rural district council.

(2) The person who on the date of the Act of Parliament confirming this order is the manager of the waterworks of the Evesham and Pebworth joint water committee shall on the appointed day be transferred to and become an officer of the Evesham rural district council.

Conditions of service of transferred officers.

64.—(1) Any officer transferred by either of the foregoing provisions of this part of this order shall hold his office by the same tenure and on the same conditions as if this order had not been made and while performing similar duties shall in respect thereof receive not less salary or remuneration and shall be entitled to not less pension (if any) than the salary remuneration or pension to which he would have been entitled if this order had not been made.

(2) The council to whom an officer is by this order transferred may employ the transferred officer in the discharge of such of their powers and duties as they may think proper and every officer shall perform such duties in relation thereto as may be directed by that council who may determine the appointment or abolish the office of any transferred officer.

(3) If at any time within five years after the appointed day an officer by this order transferred is required by the council

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to whom he is so transferred to perform duties which are not analogous to or which are an unreasonable addition to those which that officer was required to perform immediately before the appointed day the officer may relinquish his office.

(4) Any officer by this order transferred who upon the transfer holds an office designated as an established post under the Local Government and other Officers' Superannuation Act 1922 shall be deemed to hold under the council to whom he is transferred a post designated as an established post under that Act and the council from whom the officer is transferred shall pay to the council to whom the officer is transferred a transfer value in respect of the officer calculated in accordance with the provisions of the Act aforesaid.

(5) Where by virtue of section fifty-one of the Rating and Valuation Act 1925 the Poor Law Officers Superannuation Act 1896 applies to an officer who by this order is transferred from the service of one rating authority to the service of another rating authority the provisions of the Act of 1896 shall continue to apply to the officer notwithstanding his transfer by this order.

Compensation to existing officers.

65.—(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 for that loss.

(2) Any application by an officer of a rural district council for compensation under subsection (1) of this section shall be made to the council of the rural district to whom by this order he is transferred or if he is not so transferred shall be made to the council of that urban district or any rural district which on and after the appointed day will comprise any parish or part of a parish by reason of the transfer of which a direct pecuniary loss arises.

(3) Any application by an officer of the Ipsley parish council for compensation under subsection (1) of this section shall be made to the urban council and any application by an officer of the Evesham and Pebworth joint water committee for compensation under that subsection shall be made to the Evesham rural district council.

(4) Any compensation under this section which is payable by the urban council or by a rural district council shall be defrayed from the general rate of the urban or rural district.

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(5) Any application by any other officer for compensation under subsection (1) of this section shall be made to the county council of Worcester and any compensation payable by that county council shall be defrayed as expenses for general county purposes.

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(6) For the purposes of this section any transferred officer who relinquishes his office under the power conferred by this order and 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.

(7) Any compensation payable by the county council of Worcester under this order may be a matter for adjustment under this order with the county council of Gloucester or the county council of Warwick as the case may require and any compensation payable by a rural district council under this order may be a matter for adjustment under this order with the council of any other rural district to which any part of the area for which the officer acted may be transferred.

Determination of compensation.

66.—(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) For the purposes of the determination and payment of compensation to officers under this order 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 compensating authority 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

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

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(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.

67. 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.

Provision for adjustments.

68.—(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 third schedule to this order shall apply to any such adjustment.

(2) Section 62 of the Act of 1888 as adapted by this order shall extend to any question which may arise in consequence of the alteration of county boundaries made by this order as to the financial relations (including the distribution of any moneys) between the county councils of Gloucester Warwick and Worcester and subsection (6) of section 32 of the Act of 1888 which relates to the revision of financial adjustments shall extend to any financial adjustment made under this subsection.

(3) This section shall not extend to any matter for the adjustment of which special provision as to the method of adjustment is made by any enactment or by any other provision of this order.

Qualifying period for local government electors.

69. For the purposes of the registers of local government electors prepared in the present year and of all matters connected with incidental to or consequent upon those purposes the transferred areas shall be deemed to have formed part of the county to which by this order they are transferred as from the twenty-eighth day of February nineteen hundred and thirty-one.

Duplicate entries in electors lists.

70.—(1) The registration officer of each of the parliamentary counties of Gloucester and Warwick shall supply the registration

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officer of the parliamentary county of Worcester on publication with a sufficient number of copies of the electors lists the lists of objections to the electors lists the lists of claimants and the lists of objections to claimants for each registration unit comprising one of the areas by this order transferred from Gloucestershire or Warwickshire (as the case may require) and shall forthwith notify the registration officer of the parliamentary county of Worcester of his decisions on any objections or claims in respect of any such registration unit.

(2) It shall be the duty of the registration officer of the parliamentary county of Worcester to issue such notices and otherwise to take such steps as are required by rule 23 in the first schedule to the Representation of the People Act 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the same electoral division of the county of Worcester for the purpose of county council elections in the same ward of an urban district for urban district council elections or in the same parish or ward of a parish for the purpose of rural district council or parish council elections.

(3) Where the registration officer of the parliamentary county of Worcester considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors list of any registration unit comprising one of the transferred areas he shall forthwith notify the registration officer of the parliamentary county of Gloucester or Warwick (as the case may require) and that officer shall make the correction accordingly.

(4) This section shall apply to the preparation of the register of electors in the year nineteen hundred and thirty-one and later registers of electors.

Alteration or re-arrangement of local government register.

71.—(1) If the register of local government electors for an 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—

(*a*) the registration officer of the parliamentary county of Worcester in the case of an election or parish meeting for any voting area within the county of Worcester as extended by this order;

(*b*) the registration officer of the parliamentary county of Gloucester in the case of an election or parish meeting for any voting area within the county of Gloucester as diminished by this order: and

(c) the registration officer of the parliamentary county of Warwick in the case of an election or parish meeting for any voting area within the county of Warwick as diminished by this order;

shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(2) It shall be the duty of the clerk of the urban council and the clerk of the council of any rural district affected by this order and of any officer designated under article 3 of the Overseers Order 1927 by any such 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 a registration officer for the purpose of any alteration or re-arrangement authorised by this section.

(3) 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 section and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

Local land charges registers for counties.

72.—(1) The local registrars for the counties of Gloucester and Warwick 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 county of Worcester an office copy of every entry in their registers relating to any premises situate within the transferred areas and to charges which after the appointed day remain county charges and shall be paid by the county council of Worcester in respect thereof such fees as are prescribed by the said rules.

(2) The local registrar for the county of Warwick 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 urban district an office copy of every entry in the register for the county relating to any premises within the parish of Ipsley and to charges which on the appointed day become district charges.

(3) Upon the receipt of an office copy mentioned in subsection (1) or subsection (2) of this section a local registrar shall enter the particulars contained therein with any necessary modifications in the appropriate part of his local land charges register.

Local land charges register for Pebworth rural district.

73.—(1) The local registrar for the Pebworth rural district under the Land Charges Act 1925 and the rules made thereunder shall before the appointed day supply to the local registrar for the Campden rural district an office copy of every entry in his

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register relating to any premises situate within any parish of the Pebworth rural district which by this order is transferred to the Campden rural district and shall be paid by the Campden rural district council in respect thereof such fees as are prescribed by the said rules.

(2) On or before the appointed day the local registrar for the Pebworth rural district shall deliver his local land charges register and all documents relating to that register to the local registrar for the Evesham rural district.

(3) Upon the receipt of the office copy mentioned in subsection (1) of this section the local registrar for the Campden rural district shall enter the particulars contained therein with any necessary modifications in his local land charges register.

(4) Upon the receipt of the local land charges register for the Pebworth rural district the local registrar for the Evesham rural district shall enter in his register with any necessary modifications the particulars of such entries in the Pebworth register as relate to premises within any parish which by this order is transferred to the Evesham rural district.

Local land charges registers for other rural districts and urban district.

74.—(1) Subject to the preceding section of this order the local registrar under the Land Charges Act 1925 and the rules made thereunder for each existing rural district from which any parish or part of a parish by this order is transferred shall before the appointed day supply to the local registrar for the urban district or the rural district to which the parish or part of a parish is so transferred an office copy of every entry in his register relating to any premises situate within the transferred parish or part of a parish and shall be paid by the council of the urban or rural district to which the parish or part of a parish is transferred such fees as are prescribed by the said rules.

(2) Upon the receipt of the office copy mentioned in subsection (1) of this section a local registrar shall enter the particulars contained therein with any necessary modifications in his local land charges register.

Transitory provisions as to local land charges registers.

75.—(1) Until the entries in local land charges registers required by the foregoing provisions of this order are made or until the expiration of one month from the appointed day whichever shall be the earlier—

(*a*) the local registrar for the county of Worcester shall give notice to any person desiring to make a personal search in respect of land situate within any of the transferred areas that an additional search should be made in the local land charges register of the county from which the area is transferred;

(*b*) the local registrar for any urban district or rural district to which by this order a parish or part of a parish is transferred shall give notice to any person desiring to make a personal search in respect of land situate within the transferred parish or part of a parish that an additional search should be made in the local land charges register of the rural district from which the parish or part of the parish is transferred;

(*c*) when application is made for an official search in the local land charges register of the county of Worcester and the application relates to land situate within any of the transferred areas the local registrar for that county shall issue free of charge a certificate of official search in his register and shall forward to the local registrar for the county from which the area is transferred the application received by him together with the fees paid in respect thereof;

(*d*) when application is made for an official search in the local land charges register of any urban district or rural district to which by this order a parish or part of a parish is transferred and the application relates to land situate within that transferred parish or part of a parish the local registrar shall issue free of charge a certificate of official search in his register and also if he has the custody of the register of the rural district in which the transferred parish or part of a parish was prior to the transfer comprised in that register or if that register is not in his custody he shall forward to the local registrar having the custody of that register the application received by him together with the fees paid in respect thereof;

(*e*) the local registrar having the custody of the register for the county or rural district from which an area by this order is transferred 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.

(2) Where a local land charge duly registered in a local land charges register is in pursuance of this order transferred from one register to another register 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 appropriate register.

Gloucestershire and Warwickshire to Worcestershire Order.

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

76. 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.

Settlement and irremovability of poor.

77.—(1) Every person resident in any part of the transferred areas immediately before the appointed day who has acquired or is in the course of acquiring—

(*a*) a settlement in the county of Gloucester or the county of Warwick by reason of residence birth or other qualification therein; or

(*b*) a status of irremovability from the county of Gloucester or the county of Warwick by reason of residence therein;

shall be deemed to have acquired or to be in the course of acquiring thereby as the case may require a settlement in or a status of irremovability from the county of Worcester.

(2) For the purposes of this section consecutive periods of residence between the thirty-first day of March nineteen hundred and thirty and the appointed day in any portions of—

(*a*) the county of Gloucester shall be aggregated; or

(*b*) the county of Warwick shall be aggregated;

and in each of those cases shall be reckoned as continuous residence in that part of the county of Gloucester or the county of Warwick (as the case may require) in which the person was residing immediately before the appointed day.

(3) A person resident in a poor law institution or institution for persons of unsound mind immediately before the appointed day shall not for the purposes of this section be deemed to be resident in any of the transferred areas immediately before the appointed day.

Consent of Electricity Commissioners to purchase of electricity undertaking.

78. Any right of purchasing an electricity undertaking which may be conferred by the Electricity (Supply) Acts 1882 to 1928 and accrues to a local authority affected by this order by reason of the alterations of area thereby made shall not be exercised by that local authority without the consent of the Electricity Commissioners.

Appointment of trustees of certain charities.

79. Any power of appointing trustees of a charity subject to the jurisdiction of the Charity Commissioners which was exerciseable immediately before the appointed day by any county council district council parish council or parish meeting and which ceases to be exerciseable in consequence of the transfer by this order of a parish to another county or the abolition by this order of that district council parish council or parish meeting or any change in the area of a parish made by this order may after the

appointed day be exercised by such county council district council parish council or parish meeting as the Charity Commissioners may direct but nothing in this section shall in any way prejudice or affect the power of the Charity Commissioners under the Charitable Trusts Acts 1853 to 1925 to establish a scheme for the regulation of the charity.

Transfers of lists of prisoners writs &c.

80. Lists of prisoners writs process and particulars and all records and documents relating to or to be executed in connection with any action or proceeding pending or existing immediately before the appointed day and appertaining to any of the transferred areas shall upon the completion of any pending proceedings be delivered transferred and signed in like manner (as nearly as may be) as is required upon a new sheriff coming into office and as if the sheriff of the county of Worcester were as respects the transferred areas the new sheriff in succession to the sheriff of the county of Gloucester or the county of Warwick as the case may require.

Precepts of county councils and other local authorities.

81.—(1) Precepts of the county councils of Gloucester Warwick and Worcester for the financial year commencing on the appointed day shall be based on each of the counties as altered by this order and shall be sent to the rating authorities as soon as practicable after the confirmation of this order by Parliament.

(2) The county councils may make such adaptations and alterations of the estimates of the produce of a rate of a penny in the pound furnished to them by any rating authority as may be necessary to bring those estimates into conformity with the alterations of the counties or rating areas made by this order.

(3) It shall be the duty of the clerk of any rating authority to supply each of the county councils with such information as may be necessary for the purposes of subsection (2) of this section.

(4) Notwithstanding the alterations of area effected by this order all precepts made by any local authority 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.

82.—(1) All rates not collected immediately before the appointed day in respect of hereditaments within any parish or part of a parish by this order transferred from one district to another district shall be collected and recovered by the council of the urban or rural district to which the parish or part of a parish by this order is transferred or by the proper officer of that council.

(2) Any sums so collected and recovered on account of a general rate or on account of a special rate levied on a parish of which a part only is transferred from one district to another district shall be a matter for adjustment under this order.

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Gloucestershire and Warwickshire to Worcestershire Order.

Audit of accounts of dissolved authorities.

83.—(1) The accounts of the Pebworth rural district council and of the Ipsley parish council and of the committees and officers of those councils shall be made up and audited by the district auditor in like manner and subject to the like incidents as if this order had not been made:

Provided that any sum certified by the district auditor to be due from any person at the audit of the accounts of—

(*a*) the Pebworth rural district council shall be paid to the treasurer of the Evesham rural district council;

(*b*) the Ipsley parish council shall be paid to the treasurer of the urban council.

(2) Any certified sum paid to a treasurer under proviso (*a*) to subsection (1) of this section shall be a matter for adjustment under this order.

Saving for registration districts and sub-districts.

84. Any scheme made by the county council of Worcester or the Registrar-General under the provisions of section 24 of the Local Government Act 1929 shall make provision for dealing with the transferred areas but until the date on which a scheme affecting the transferred areas comes into operation nothing in this order shall affect the area of any existing registration district or sub-district for the purposes of births deaths or marriages without prejudice however to the exercise of the powers contained in the Births and Deaths Registration Acts 1836 to 1929 as to the alteration of registration districts or sub-districts.

Saving for qualification of councillors.

85. Any county councillor rural district councillor or parish 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 a councillor by reason of the alterations of area made by this order.

Parish books and documents.

86.—(1) All books and documents belonging to the parish of Ipsley and all documents directed by law to be kept with the public books writings and papers of that parish (except any book or document relating to ecclesiastical matters) shall be deposited in such custody as the urban council may direct.

(2) Any ratepayer or inhabitant of any existing parish which by this order is altered shall at all times have the right of inspection and of making extracts from the books or documents of that existing parish which he would have had if this order had not been made.

Legal proceedings contracts &c.

87.—(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 any local authority affected by this order or save as in this order otherwise

provided any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by any such local authority.

(2) If on the appointed day any action cause of action or proceeding is pending or existing by or against the Pebworth rural district council—

(*a*) in relation exclusively to a parish within their district it may be continued prosecuted and enforced against the council of the rural district to which the parish by this order is transferred; or

(*b*) in relation to their rural district it may be continued prosecuted and enforced against the Evesham rural district council.

(3) If on the appointed day any action cause of action or proceeding is pending or existing by or against the Alcester rural district council in relation exclusively to the parish of Ipsley or by or against the Ipsley parish council it may be continued prosecuted or enforced by or against the urban council.

(4) Save as in this order otherwise expressly provided all contracts deeds bonds agreements and other instruments subsisting immediately before the appointed day and entered into or made by the Pebworth rural district council—

(*a*) in relation exclusively to a parish within their district may be continued and enforced as fully and effectually as if instead of the Pebworth rural district council the council of the rural district to which the parish by this order is transferred had been a party thereto; or

(*b*) in relation to their rural district may be continued and enforced as fully and effectually as if instead of the Pebworth rural district council the Evesham rural district council had been a party thereto.

(5) All contracts deeds bonds agreements and other agreements subsisting immediately before the appointed day and entered into or made by—

(*a*) the Alcester rural district council in relation exclusively to the parish of Ipsley; or

(*b*) the Ipsley parish council;

may be continued and enforced as fully and effectually as if instead of that council the urban council had been a party thereto.

(6) 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.

(7) Any reference in this section to a local authority shall be read as including a reference to the predecessors of that local authority.

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Gloucestershire and Warwickshire to Worcestershire Order.

Other savings.

88. Nothing in this order shall—

(1) restrict the powers of the Secretary of State the Minister or any county council under the Act of 1888 the Local Government Act 1894 or the Local Government Act 1929;

(2) affect the powers of the county council of Gloucester Warwick or Worcester for the division of a parliamentary county into polling districts for parliamentary elections or for the division of their 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 for the supply of gas water or electricity by any company body or local authority under any local Act or any provisional order confirmed by Parliament or under any order made in pursuance of the Gas Undertakings Acts 1920 and 1929 or the Electricity Supply Acts 1882 to 1928 or prejudice or affect the existing powers or charges of any such company body or local authority under any such Act or order;

(4) save as in this order expressly provided with respect to the appointment of trustees of certain charities prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment; or

(5) affect the area within which any bishop parson or other ecclesiastical person has any cure of souls or jurisdiction.

SCHEDULES.

FIRST SCHEDULE.

TRANSFERRED PARISHES OR PARTS OF PARISHES AND ELECTORAL DIVISIONS PETTY SESSIONAL DIVISIONS GUARDIANS COMMITTEE AREAS AND ASSESSMENT AREAS OF THE COUNTY OF WORCESTER TO WHICH BY THIS ORDER THEY ARE TRANSFERRED.

Transferred parishes or parts of parishes.	County of Worcester.			
	Electoral Divisions.	Petty Sessional Divisions.	Guardians Committee Areas.	Assessment Areas.
1.	2.	3.	4.	5.
GLOUCESTERSHIRE PARISHES AND PARTS OF PARISHES.				
Ashton under Hill Aston Somerville Childs Wickham	Broadway	Evesham	Evesham	No. 5 or South.
Cow Honeybourn ...	Bretforton	Evesham	Evesham	No. 5 or South.
Hinton on the Green	Broadway	Evesham	Evesham	No. 5 or South.
Kemerton	Bredon	Evesham	Upton-on-Severn	—
Pebworth	Bretforton	Evesham	Evesham	No. 5 or South.
The transferred part of Beckford.	Bredon	Evesham	Evesham	—
The transferred part of Forthampton.	Castle-morton	Upton-on-Severn.	Upton-on-Severn.	No. 4 or West
WARWICKSHIRE PARISH AND PART OF PARISH.				
Ipsley	Redditch South	Redditch	Bromsgrove	No. 3 or Central.
The transferred part of Bickmarsh.	Bretforton	Evesham	Evesham	No. 5 or South.

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SECOND SCHEDULE.

AGREEMENTS WHICH ARE TO CEASE TO HAVE EFFECT.

Date.	Parties.	Parishes referred to.	Subject-matter.
23rd March 1898.	Gloucester county council and Worcester county council.	Aston Somerville Childs Wickham Hinton on the Green.	Administration of Diseases of Animals Acts by Worcestershire.
,, ,,	,, ,,	,, ,,	Administration of Weights and Measures Acts by Worcestershire.
,, ,,	Gloucestershire standing joint committee and Worcestershire standing joint committee.	,, ,,	Transfer to Worcestershire for police purposes.

THIRD 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.

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(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 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.

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(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.

(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.

(9) In this section the expression "the Minister" means the Minister of Health.

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