CHAPTER vii.

An Act to confirm a Provisional Order of the Minister of Health relating to the Counties of Chester and Lancaster. [29th March 1933.] A.D. 1933.

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

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

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

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Chester and Lancaster) Act 1933. Short title.

[*Price* 1*s.* 0*d. Net.*]

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SCHEDULE.

COUNTIES OF CHESTER AND LANCASTER.

Cheshire and Lancashire Order.

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

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

And whereas the existing parishes entered in column 1 of the first schedule to this order form part of the administrative county of Chester and the existing parishes entered in column 1 of the second schedule to this order form part of the administrative county of Lancaster;

And whereas a joint representation has been made to the Minister of Health by the county councils of Chester and Lancaster that it is desirable that portions of the common boundary of the administrative counties of Chester and Lancaster which in general now follow the River Mersey should be altered so as to follow (except as respects a short length of those portions of the common boundary) the centre of the Manchester Ship Canal and that accordingly parts of certain parishes should be transferred from one administrative county to the other administrative county:

Now therefore the Minister of Health in pursuance of the powers given to him by section 54 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 Cheshire and Lancashire Order 1932.

Interpretation.

2.—(1) In this order unless the context otherwise requires—

"county" means an administrative county;

"existing" means existing immediately before the appointed day;

" parish " includes a township which is a civil parish;

" road " means a highway repairable by the inhabitants at large and includes any bridge so repairable carrying the road;

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

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

" the Cheshire areas " means those parts of the existing parishes entered in column 1 of the first schedule which are distinguished on the maps by the colour mentioned in column 2 of that schedule opposite the name of the parish and are transferred to the county of Lancaster;

" the county councils " means the county councils of Chester and Lancaster;

" the Lancashire areas " means those parts of the existing parishes entered in column 1 of the second schedule which are distinguished on the maps by the colour mentioned in column 2 of that schedule opposite the name of the parish and are transferred to the county of Chester;

" the maps " means the triplicate maps marked " Map " referred to in the Cheshire and Lancashire Order " 1932 " and sealed with the official seal of the Minister;

" the Minister " means the Minister of Health;

" the transferred areas " means the Cheshire areas and the Lancashire areas.

(2) Unless the context otherwise requires any reference in this order to—

(*a*) a schedule shall be read as a reference to a schedule to this order;

(*b*) the alteration extension inclusion or transfer of an area shall be read as a reference to that operation as effected by this order.

Effect of regulations of Minister.

3. This order shall have effect subject to the provisions of any regulations made or to be made by the Minister under Part VI of the Local Government Act 1929 with respect to grants payable under that Part of that Act.

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-three :

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Provided that for the purposes of—

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

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

(*c*) the preparation or approval of any general rate or special rate to be made in respect of a period commencing on the appointed day;

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

Deposit and copies of maps.

5.—(1) One of the maps shall be deposited in the office of each of the following persons namely :—

(*a*) the Minister;

(*b*) the clerk of the Chester county council; and

(*c*) the clerk of the Lancaster county council.

(2) A copy of the map deposited with the clerk of the county council of Chester certified by him to be true shall be sent by him within one month after the confirmation of this order to the clerk of the Lymm urban district council the clerks of the rural district councils of Bucklow Runcorn and Warrington respectively the Board of Inland Revenue the Registrar-General the Minister of Transport the Minister of Agriculture and Fisheries the Commissioners of Customs and Excise the Board of Trade the Postmaster-General and the Electricity Commissioners.

Copies of maps to be evidence.

6.—(1) Copies of or extracts from the map deposited with the clerk of the Chester county council or the clerk of the Lancaster county council certified by that clerk to be true shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of the map so far as it relates to the boundary of any area altered by this order.

(2) The maps so deposited shall at all reasonable times be open to inspection by any person liable to any rate leviable within any urban or rural district which is affected by this order and any such person shall be entitled to a copy of or extract from a deposited map certified to be true by the clerk of the county council in whose office it is deposited on payment of a reasonable fee to be determined by that clerk.

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

Part II.

Alterations of Area.

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Alteration of county boundaries.

7.—(1) Those parts of the existing parishes entered in column 1 of the first schedule which are distinguished on the maps by the colour mentioned in column 2 of that schedule opposite the name of the parish shall cease to form part of the county of Chester and shall be transferred to the county of Lancaster.

(2) Those parts of the existing parishes entered in column 1 of the second schedule which are distinguished on the maps by the colour mentioned in column 2 of that schedule opposite the name of the parish shall cease to form part of the county of Lancaster and shall be transferred to the county of Chester.

Alterations of parishes and districts.

8.—(1) Each of the Cheshire areas shall be transferred to that parish which is entered in column 3 of the first schedule opposite the name of the existing parish in column 1 of that schedule from which the area is transferred.

(2) Each of the Lancashire areas shall be transferred to that parish which is entered in column 3 of the second schedule opposite the name of the existing parish in column 1 of that schedule from which the area is transferred.

(3) The Cheshire areas shall be transferred to the Warrington rural district and shall cease to form part of any urban or rural district mentioned in column 4 of the first schedule.

(4) Each of the Lancashire areas shall be transferred to that urban or rural district which is entered in column 4 of the second schedule opposite the name of the existing parish in column 1 from which the area is transferred and shall cease to form part of the Warrington rural district.

Extension of Statham ward of Lymm urban district.

9. For the purpose of the election of urban district councillors the area added to the Lymm urban district shall form part of the Statham ward of that urban district.

Electoral divisions for county council elections.

10.—(1) The Cheshire areas shall form part of the Winwick electoral division of the county of Lancaster for the purpose of the election of county councillors.

(2) Each of the Lancashire areas shall form part of that electoral division of the county of Chester which is entered in column 5 of the second schedule opposite the name of the existing parish in column 1 of that schedule from which the area is transferred.

Petty sessional divisions and coroners' districts.

11.—(1) The Cheshire areas shall be transferred to the Warrington petty sessional division of the county of Lancaster and to the West Derby coroner's district of that county.

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(2) The Lancashire areas shall be transferred to the Altrincham petty sessional division of the county of Chester and to the Central Cheshire coroner's district.

Guardians committee areas and assessment areas.

12.—(1) The Cheshire areas shall form part of the Leigh guardians committee area of the county of Lancaster and of the Warrington assessment area of that county.

(2) Each of the Lancashire areas shall form part of that guardians committee area and assessment area of the county of Chester which is entered in column 6 of the second schedule opposite the name of the existing parish in column 1 of that schedule from which the area is transferred.

Supplemental provision as to parishes electoral divisions petty sessional divisions &c.

13. The Cheshire areas and the Lancashire areas shall cease to form part of any parish ward electoral division petty sessional division coroner's district guardians committee area or assessment area in which immediately before the appointed day any of those areas may be comprised.

PART III.

COUNTY ADMINISTRATION AND ROADS.

Assizes sessions sheriff lieutenant coroner territorial army jurors &c.

14.—(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 Cheshire areas shall form part of the county of Lancaster and the Lancashire areas shall form part of the county of Chester.

(2) The powers and duties of the quarter sessions justices sheriff coroners and clerk of the peace of a county to which an area is transferred and of the police constables and other peace officers of that county shall extend to that transferred area and subject to the provisions of this order the transferred area shall for any of the purposes mentioned in this subsection cease to form part of any other county.

Transfers of lists of prisoners writs &c.

15. 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 to which the area is transferred were as respects the transferred area the new sheriff in succession to the sheriff of the county from which the area is transferred.

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16.—(1) Any reference in any scheme made by either of the county councils under Part I of the Local Government Act 1929 to an urban district or a rural district which is altered shall be read as a reference to that district as altered.

Guardians committee areas and administrative schemes.

(2) Any person who immediately before the appointed day is a representative on a guardians committee of the council of an urban district or a rural district which is altered shall continue to represent that council until the day on which he would have retired from office if this order had not been made.

Settlement and irremovability and transfer of liability for maintenance of poor.

17.—(1) Every person resident in the Cheshire areas or the Lancashire areas immediately before the appointed day who has acquired or is in the course of acquiring—

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

(*b*) a status of irremovability from the county of Chester or the county of Lancaster 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 to which the transferred area is transferred.

(2) For the purposes of this section consecutive periods of residence in any portions of the county of Chester or the county of Lancaster shall (if and so far as those periods would immediately before the appointed day be reckoned for the purposes of determining questions of settlement in or irremovability from the county) be aggregated and shall be reckoned as continuous residence in that part of the county in which the person was residing immediately before the appointed day.

(3) Where immediately before the appointed day a person is in receipt of poor relief from the county council of Chester or the county council of Lancaster as an inmate of an institution or of rate aid from that county council as an inmate of an institution for persons of unsound mind and was resident in any of the transferred areas immediately before he last commenced to receive poor relief or rate aid he shall for the purposes of the foregoing provisions of this section be deemed to be resident immediately before the appointed day in that transferred area.

(4) The liability for the cost accruing on and after the appointed day of the maintenance in any institution of any inmate of that institution to whom subsection (3) of this section applies shall by virtue of this order be transferred to and attach to the county council of Lancaster or the county council of Chester as the case may require but this subsection shall not prevent that

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county council from obtaining an order of removal or an adjudication of the chargeability of any person who notwithstanding the provisions of this section is liable to be removed or made chargeable to any other county or county borough.

(5) Nothing in this section shall authorise the inclusion in any computation of a period of residence for the purposes of this section of such residence as is excluded by subsection (1) of section 93 of the Poor Law Act 1930 from a computation of residence for the purpose of the acquisition of a status of irremovability or shall prevent any residence so excluded from breaking the continuity of residence for the purpose of the acquisition by residence of a settlement.

Insurance committees.

18.—(1) The Minister may by order at any time after the confirmation of this order make such provisions as appear to him to be necessary for transferring to the insurance committee for a county to which an area is transferred such of the property rights and liabilities of the insurance committee for the county from which the area is transferred as relate to persons resident in that transferred area.

(2) An order made under this section may authorise the insurance committee for a county from which an area is transferred to continue to act as insurance committee for that area until such date not being later than the thirty-first day of December nineteen hundred and thirty-three 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 the county of Chester or the county of Lancaster shall be deemed to have been appointed or elected as and shall be the members of the insurance committee for that county as altered.

Adjustment for purposes of Licensing (Consolidation) Act 1910.

19.—(1) An equitable adjustment may be made between the appropriate compensation authorities within the counties of Chester and Lancaster respecting the interest of each of the transferred areas in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

(2) Any adjustment under subsection (1) of this section shall be made by agreement between the compensation authorities 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 and the provisions of that Act shall apply accordingly.

Register of nursing homes.

20.—(1) Before the appointed day the clerk of the county council of Chester shall send to the clerk of the county council of Lancaster a copy of every entry in the register of the Chester county council under the Nursing Homes Registration Act 1927 which relates to any nursing home situate within the Cheshire areas and the clerk of the county council of Lancaster shall send to the clerk of the county council of Chester a copy of every entry in the register of the Lancaster county council under that Act which relates to any nursing home situate within the Lancashire areas.

(2) The clerk of a county council by whom a copy of an entry is received under this section shall include in the register of the county council under the Nursing Homes Registration Act 1927 the particulars entered in that copy.

(3) 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 a county council in respect of premises within any of the transferred areas shall continue in force until the exemption shall expire.

Wild Birds Protection Orders.

21. Any order of either of the county councils under the Wild Birds Protection Acts 1880 to 1908 which immediately before the appointed day is in force within an urban district or a rural district to which an area is transferred shall extend and apply to that transferred area in substitution for any order of a county council under those Acts which may be in force immediately before the appointed day within the transferred area.

Byelaws of county councils and standing joint committees.

22.—(1) Any byelaws made by either of the county councils under section 11 of the Petroleum (Consolidation) Act 1928 which immediately before the appointed day are in force in the Cheshire areas or the Lancashire areas shall continue to apply to those areas until those byelaws are repealed or altered and shall have effect as if they had been made by the county council of the county to which the area is transferred.

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(2) Subject to subsection (1) of this section any byelaws made by either of the county councils or by the standing joint committee of either county which immediately before the appointed day are in force within an urban district or a rural district to which an area is transferred shall extend and apply to the transferred area in substitution for any byelaws of a county council or standing joint committee which immediately before the appointed day 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 a county council or standing joint committee 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 or by the standing joint committee as the case may require and as if the byelaws had remained in force within that area.

Unclassified roads within urban areas added to a rural district.

23.—(1) All unclassified roads within any area transferred from the Lymm urban district which are repairable by the urban district council shall be deemed to be county roads within the meaning of the Local Government Act 1929 and shall on the appointed day by virtue of this order be transferred to and vest in the county council of Lancaster.

(2) Such of the provisions of sections 117 and 118 of the Local Government Act 1929 as relate to the transfer of property and liabilities so far as those sections apply to unclassified roads transferred from a rural district council to a county council by that Act shall apply for the purposes of this section with such modifications as may be necessary including the substitution of the appointed day within the meaning of this order for the appointed day for the purposes of Part VII of the Act of 1929.

(3) An application to the county council of Lancaster under paragraph (*b*) of subsection (1) of section 118 of the Act of 1929 may be made after the appointed day by the Warrington rural district council to take over property to which that paragraph applies and which is used for the repair of any unclassified road transferred by this section.

(4) Subject to the provisions of sections 35 and 36 of the Local Government Act 1929 the county council of Lancaster may exercise with respect to any unclassified road transferred to them by this section any of the powers or duties conferred on a county council by Part III of that Act.

Unclassified roads within rural area added to an urban district.

24. Any unclassified road within the area which is transferred to the Lymm urban district shall by virtue of this order be transferred to and vest in the Lymm urban district council and the county council shall cease to exercise as respects any unclassified road within that area any powers or duties under

Part I or Part II of the first schedule to the Local Government Act 1929.

25. Subject to the foregoing provisions as to unclassified roads any county road or county bridge situate within any of the transferred areas shall by virtue of this order be transferred to and vest in the council of the county to which the area is transferred 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.

County roads and bridges within transferred areas.

26. Any powers or duties as to roads or bridges which may have been delegated by the county council to the council of any urban or rural district which is altered in relation to an existing district shall be deemed to have been delegated by the county council to that council in relation to that district as altered.

Delegation by county council of powers &c. as to roads and bridges.

PART IV.

PROPERTY AND LIABILITIES.

27.—(1) Upon the appointed day the estate or interest of any district council in such of the houses provided by that council under the Housing Acts 1925 and 1930 (or any enactment repealed by the Housing Act 1925) as are situate within one of the transferred areas shall by virtue of this order be transferred to and vest in the council of the urban or rural district to which the area is transferred as the authority for the execution of the Housing Acts 1925 and 1930.

Housing schemes.

(2) The property and liabilities vested in or attaching to any district council affected by this order in relation to houses provided by them under any Act or enactment referred to in subsection (1) of this section shall be a matter for adjustment under this order.

28. Where the area of an existing contributory place is altered any property or liability held by or attaching to a rural district council for the benefit of or in respect of that contributory place shall be held by them for the benefit of the contributory place as altered or defrayed from the special rate of the contributory place as altered and any such property or liability shall if necessary be a matter for adjustment under this order.

Property &c. of rural councils relating to particular contributory places.

29.—(1) Subject to the provisions of this order all property immediately before the appointed day vested in the council of any urban or rural district which is altered for the benefit of their existing district (not being property held on any charitable trust) shall by virtue of this order be held by the council for the benefit

General provision as to property or liabilities of district councils.

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of their district as altered and the council shall hold enjoy and exercise for the benefit of their altered district all powers which immediately before that day are exerciseable by or vested in them for the benefit of the existing district and all liabilities which immediately before the appointed day attach to the council in respect of their existing district shall attach to them in respect of their district as altered.

(2) Any property or liabilities which are vested in or attach to the council of a district who are affected by this order—

(*a*) in relation exclusively to any area which is transferred from the district to another district shall by virtue of this order be transferred to vest in and attach to the council of the district to which the area is transferred;

(*b*) in relation to any such area conjointly with any other area shall be a matter for adjustment under this order.

Balances of rates.

30. Any balance standing on the appointed day in the books of the council of any urban or rural district which is altered in respect of the general rate of the district or in respect of any special rate levied on any parish which is altered shall be a matter for adjustment under this order.

Property and liabilities of parish councils &c.

31. Any property or liabilities held or incurred by the parish council representative body or parish meeting of any existing parish which is altered shall be deemed to be held or to have been incurred in respect of that parish as altered but shall if necessary be a matter for adjustment under this order.

Transferred property &c. to be held as general property &c.

32. Subject to the provisions of any adjustment made under this order—

(1) any property transferred by this order to the council of a district shall by virtue of this order be held by them for the benefit of their district as altered;

(2) any liabilities transferred by this order to the council of a district shall by virtue of this order attach to them in respect of their district as altered.

Part V.

Local Acts Provisional Orders Adoptive Acts Orders and Byelaws.

Amendment of 54 & 55 Vict. c. xx and 2 Edw. 7. c. lvi.

33.—(1) The Lancashire (Lunatic Asylums and other Powers) Act 1891 and the Lancashire County (Lunatic Asylums) Act 1902 shall cease to extend to the Lancashire areas and shall extend to the Cheshire areas.

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(2) References in the Acts mentioned in subsection (1) of this section to the administrative county of Lancaster shall be read as references to that county as altered.

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Adaptation of Provisional Order applying to Mersey and Irwell joint committee.

34. References in the Provisional Order constituting a joint committee for the prevention of pollution of parts of the rivers Irwell and Mersey which Provisional Order was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 10) Act 1891 to the county of Chester and to the county of Lancaster shall be read as references to each of those counties as altered.

Lymm urban district local Acts confirmation Acts and orders.

35. Subject to the provisions of this order the unrepealed provisions of—

(1) the Lymm Local Board (Gas) Act 1872 and the Lymm Urban District Council Act 1913; and

(2) any order affecting the existing Lymm urban district which has effect as if enacted by Parliament;

as the same respectively are in force within the existing Lymm urban district immediately before the appointed day shall extend and apply to the urban district as altered and any reference therein which is applicable to the existing urban district shall be deemed to refer to the urban district as altered.

Protective provisions in local Acts &c.

36. The provisions of any protective section for the benefit of any district council who are affected by this order (or the predecessors of that council) which may be contained in any local Act confirmation Act Provisional Order or order having the force of an Act (by whomsoever obtained) so far as they relate to or affect any part of a district which is transferred to another district shall enure to the benefit of the council of the district to which the area is transferred and in relation to any such area shall be construed as if a reference to that council were substituted in the section for any reference to the council mentioned in the section.

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

37.—(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 district council or their predecessors;

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

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(2) Any adoptive Act or order of a government department which immediately before the appointed day is in force within a parish which is altered and does not extend to the whole of the existing district in which the parish immediately before the appointed day is comprised shall extend and apply to that parish as altered in substitution for any such Act or order which may be in force in the transferred area immediately before the appointed day.

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

38. 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.

Small Dwellings Acquisition Acts.

39.—(1) For the purposes of the Small Dwellings Acquisition Acts 1899 to 1923 the Lymm urban district council shall be the authority for their district as altered and the Runcorn rural district council shall be the authority for their district as altered.

(2) Subject to subsection (1) of this section each of the county councils shall be the authority for the purposes of the Acts mentioned in that subsection within the areas transferred to their county.

Byelaws regulations and scales of charges of district councils.

40.—(1) Any byelaws and any scale of charges made by the council of an urban or a rural district which is altered and in force immediately before the appointed day within any area which is transferred to another district—

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

(*b*) if made on or after the first day of January nineteen hundred and twenty-three shall continue to apply to the existing area in which they are in force until repealed or altered by further byelaws.

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

(3) Any proceedings which if this order had not been made might have been taken by the council of a district from which an area is transferred in respect of any contravention of byelaws occurring within the transferred area before the appointed day

may be taken by the council of the district to which the area is 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 table of fees or payments not prescribed by byelaws and any reference in this section to byelaws made by the council of a district shall be read as including a reference to byelaws made by the predecessors of that council.

Part VI.

Rating and Valuation.

Differential rating in transferred areas.

41.—(1) On an application made in writing at any time before the first day of May nineteen hundred and thirty-three by—

(*a*) the council of any urban or rural district from which any area is transferred;

(*b*) the parish council of any parish from which any area is transferred; or

(*c*) any railway or canal company owning property situate in any of the transferred areas;

the Minister may by order direct that for the period or periods stated therein the total amount in the pound of the general rate or rates to be levied by the council of the district to which an area is transferred upon any rateable hereditament situate in that transferred area shall in each year be less than the total amount in the pound of the general rate or rates to be levied by that council in the same year upon any hereditament within the remainder of their district by such sum or sums in the pound as may seem equitable to the Minister after considering any representations made to him by the council of the district to which the area is transferred.

(2) An order under this section may provide for the allowance to owners or occupiers of such of the rateable hereditaments within a transferred area as are included in class (3) of the hereditaments specified in column (1) of Part II of the second schedule to the Rating and Valuation Act 1925 of relief from rates under this section to such less extent than the relief from rates allowed by the order to owners or occupiers of other rateable hereditaments within that area as the Minister may consider equitable.

(3) Any relief from a general rate afforded in pursuance of this section shall be specified in all demand notes for rates issued to ratepayers of the area to which the relief extends and the net amount in the pound of the rate shall be distinguished.

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Assessment areas and committees.

42.—(1) The County of Chester (Assessment Areas and Assessment Committees) Scheme 1926 shall have effect as if for references to the existing urban district of Lymm or the existing rural districts of Bucklow and Runcorn there were substituted references to that urban district and those rural districts respectively as altered.

(2) The County of Lancaster and County Borough of Warrington (Assessment Area and Assessment Committee) Scheme 1926 shall have effect as if for references to the existing rural district of Warrington there were substituted references to that rural district as altered.

(3) Any person who immediately before the appointed day represents on an assessment committee the council of any urban or rural district which is altered shall continue to represent that council on that assessment committee until the day on which he would have retired from office if this order had not been made.

Deduction in ascertaining rateable value of special properties.

43.—(1) For the purposes of all valuation lists of the Lymm urban district as altered the amount of the deduction to be made under paragraph (*c*) of subsection (1) of section 22 of the Rating and Valuation Act 1925 from the net annual value of such rateable hereditaments within the area added to the urban district 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 40 per cent. and such adjustments of the value of those hereditaments shall be made by the Lymm urban district council as may be necessary to give effect to the provisions of this section.

(2) Upon the inclusion in the valuation list of the rural district of Warrington of the particulars of hereditaments which are transferred from the Lymm urban district to that rural district an adjustment shall be made of the value of all rateable hereditaments of the class mentioned in subsection (1) of this section for the purpose of cancelling the deduction from net annual value authorised by column (2) of Part II of the second schedule to the Rating and Valuation Act 1925.

Alteration of valuation lists.

44.—(1) Before the twenty-fifth day of March nineteen hundred and thirty-three the clerk of the council of any urban or rural district from which an area is transferred shall send to the clerk of the council of the district to which that area is transferred a copy of all entries in the valuation list then in force which relate to hereditaments within the transferred area.

(2) A copy of the entries prepared under subsection (1) of this section shall be sent by the officer by whom it is prepared to the clerk of the assessment committee whose assessment area will comprise the transferred area on and after the appointed day.

(3) Subject to such adjustments of the value of hereditaments as may be required by the preceding section of this order—

(*a*) the clerk of the council of any urban or rural district to which an area is transferred shall incorporate with the valuation list of the existing district the particulars received by him under this section;

(*b*) the clerk of an assessment committee to whom copies of entries are forwarded shall incorporate with the copies of the lists in his possession the particulars received by him under this section.

(4) The entries of which copies are furnished under this section by the clerk of any council shall be cancelled in the valuation list of the district of that council.

(5) The divisions of the valuation list of any rural district shall be altered by the clerk of the council so as to conform with any alteration of any parish within the district made by this order and a record of the alteration shall be sent by the clerk of the council to the clerk of the appropriate assessment committee by whom a corresponding alteration in the copy of the valuation list in his possession shall be made.

Rating of owners and allowance of discount.

45. Any direction given by a district council as to the rating of owners or the allowance of a discount in respect of rates which may be in force within an urban or a rural district which is altered shall extend and apply to that district as altered until that direction is revoked or varied by the council of the altered district.

Arrears of rates.

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

Precepts of county councils and other local authorities.

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

(2) Each of 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 and rating areas made by this order.

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(3) It shall be the duty of the clerk of any rating authority to supply either 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.

Part VII.

Officers.

Meaning in this part of certain expressions.

48. 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 any officer or servant whose remuneration is paid by a local authority.

Compensation to officers.

49.—(1) Every officer in office on the date of the confirmation of this order and not holding a temporary appointment which expires before the appointed day 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 claim by an officer of a district council to compensation under subsection (1) of this section shall be made to the council of the urban or rural district which on and after the appointed day will comprise the area by reason of the transfer of which a direct pecuniary loss arises and any compensation payable by that council shall be defrayed from the general rate of that district.

(3) Any claim by any other officer to compensation under subsection (1) of this section shall be made to the county council of the county which on and after the appointed day will comprise the area by reason of the transfer of which a direct pecuniary loss

arises and any compensation payable by that council shall be defrayed as expenses for general county purposes.

(4) For the purposes of this section any officer whose office is abolished or 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 and not on the ground of misconduct shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this order.

Determination of compensation.

50.—(1) In determining the compensation payable to any person who becomes entitled to compensation under 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 or the determination of the appointment takes effect or the direct pecuniary loss commences as the case may require; 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

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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.

51. 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.

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PART VIII.

SUPPLEMENTARY.

Financial adjustments.

52.—(1) Where in consequence of any alteration of areas or authorities made by this order any adjustment of any property income debts liabilities or expenses so far as they are affected by the alteration is required an adjustment shall be made between the councils or other authorities affected under and in accordance with section 62 of the Act of 1888 as set out and adapted in the third schedule.

(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 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 regulation or order.

Existing councillors.

53.—(1) Any person who immediately before the appointed day represents as a county councillor district councillor or parish councillor any electoral area which is altered shall be deemed to have been elected to represent that electoral area as altered.

(2) Any casual vacancy which may exist immediately before the appointed day in the office of any councillor mentioned in subsection (1) of this section shall be filled by the election of a councillor for the electoral division district ward or parish as altered.

Qualification for election as a county councillor district councillor or parish councillor.

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

(2) Any person who is to continue in office after the appointed day as a county councillor district councillor or parish councillor shall not during his present term of office be deemed to lose his

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qualification by reason of any alteration of area made by this order.

Parish councils and representative bodies.

55. The parish council or representative body of any rural parish which is altered shall act for that rural parish as altered.

Town planning.

56.—(1) Any resolution passed or other proceeding taken by the council of an urban or a rural district or on behalf of any such council under the Town Planning Act 1925 or any enactment repealed by that Act or under any unrepealed provision of a local Act (including agreements orders and consents entered into made or given under that Act provision or enactment) shall in so far as that proceeding extends to land transferred from an urban or a rural district have effect in respect of that land as if the same had been passed or taken by or on behalf of the council of the district to which the land is transferred.

(2) Where any special order made by the Minister under section 4 of the Town Planning Act 1925 extends to land which is transferred from an urban or a rural district the council of the district to which the land is transferred shall in respect of that land exercise the powers conferred and be subject to the duties imposed by the special order on the council of the district from which the land is transferred.

(3) Nothing in this section shall cause the council of any district to become a constituent council of a committee appointed under section 2 of the Town Planning Act 1925 or any corresponding provision of any Act repealed by that Act in respect of any area included within that district.

Qualifying period for local government electors.

57. For the purposes of the registers of local government electors prepared in the year nineteen hundred and thirty-three and of all matters connected with incidental to or consequent upon those purposes each of the transferred areas shall be deemed to have formed part of the county to which it is transferred as from the twenty-eighth day of February of that year.

Duplicate entries in electors lists.

58.—(1) On the publication of the electors lists the lists of objections to the electors lists the lists of claimants and the lists of objections to claimants the registration officer of the parliamentary county of Chester shall supply the registration officer of the parliamentary county of Lancaster and the registration officer of the parliamentary county of Lancaster shall supply the registration officer of the parliamentary county of Chester with a sufficient number of copies of those lists for each registration unit comprising any part of the transferred areas and shall forthwith notify the registration officer to whom the copies are forwarded 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 Chester in respect of the administrative county of Chester as altered and of the registration officer of the parliamentary county of Lancaster in respect of the administrative county of Lancaster as altered 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 administrative county for the purpose of county council elections in the same ward of an urban district for the purpose of urban district council elections or in the same parish for the purpose of rural district council or parish council elections.

(3) Where a registration officer 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 any part of the transferred areas he shall forthwith notify the registration officer of the parliamentary county of Chester or Lancaster (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-three and later registers of electors.

Alteration or re-arrangement of local government register.

59.—(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 Chester in the case of an election or parish meeting for any voting area within the administrative county of Chester as altered; and

(*b*) the registration officer of the parliamentary county of Lancaster in the case of an election or parish meeting for any voting area within the administrative county of Lancaster as altered;

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

(2) It shall be the duty of the clerk of the council of any urban or rural district affected by this order and of any officer designated by any such council for the performance of the duties of overseers in relation to the preparation of the register of

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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.

Transfer of entries in county land charges registers.

60.—(1) Within fourteen days after the appointed day the local registrar for the county of Chester under the Land Charges Act 1925 and the rules made thereunder shall supply to the local registrar for the county of Lancaster an office copy of every entry in his register relating to land within the Cheshire areas.

(2) The local registrar for the county of Lancaster shall supply to the local registrar for the Lymm urban district an office copy of every entry in his register relating to land within the Lancashire areas and to charges which on the appointed day become urban district charges and shall supply to the local registrar for the county of Chester an office copy of every entry in his register relating to land within the Lancashire areas and to charges which on and after the appointed day will remain county charges.

Transfer of entries in district land charges registers.

61.—(1) Within fourteen days after the appointed day the local registrar for the Lymm urban district shall supply to the local registrar for the county of Lancaster an office copy of every entry in his register relating to land within the parts of that urban district which are transferred to the county of Lancaster and to charges which on the appointed day become county charges.

(2) Subject to subsection (1) of this section the local registrar for any urban or rural district from which land is transferred shall within fourteen days after the appointed day supply to the local registrar for the district to which the land is transferred an office copy of every entry in his register relating to that land.

Fees for copies and entry of particulars.

62.—(1) The local registrar by whom an office copy is supplied under this part of this order shall be paid in respect of that copy by the council to whose officer the copy is supplied such fees as are prescribed by the rules made under the Land Charges Act 1925.

(2) A local registrar by whom an office copy is received under this part of this order shall within fourteen days after its receipt enter the particulars contained therein with any necessary modifications in the appropriate part of his local land charges register.

63. Until the entries required by the foregoing provisions as to local land charges registers are made or until the expiration of one month after the appointed day whichever shall be the earlier the following provisions shall have effect in respect of land within the transferred areas :—

Transitory provisions as to local land charges registers.

(1) Where within one month after the appointed day application is made by any person for a personal search in the register of—

(*a*) the county of Lancaster in respect of land within the Cheshire areas; or

(*b*) the county of Chester in respect of land within the Lancashire areas; or

(*c*) any urban or rural district to which part of a parish is transferred in respect of land within that part of a parish;

the local registrar by whom the application is received shall give notice to the applicant that an additional search should be made in the register of the county or district from which the area is transferred and where application is made for an official search shall issue free of charge a certificate of official search in his register and shall forward to the local registrar for the county or district from which the land is transferred the application received by him together with the fees paid in respect thereof and shall also send a copy of the application to the local registrar for the county or district to whom the original application is not under this paragraph forwarded :

(2) The local registrar for the county or urban or rural district from which an area 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 :

(3) Where an entry of a local land charge which has been duly made in the local land charges register of a county or urban or rural district from which land is transferred is required by this order to be transferred from that 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 register to which it is required by this order to be transferred.

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Appointment of trustees of certain charities.

64. Any power of appointing trustees of a charity subject to the jurisdiction of the Charity Commissioners which is 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 any alteration 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.

Purchase of electricity undertaking.

65. Any right of purchasing an electricity undertaking which may be conferred by the Electricity (Supply) Acts 1882 to 1928 or any other Act or by any Provisional Order or Special Order and which accrues to a local authority by reason of any alteration of area made by this order shall not be exercised by that local authority without the consent of the Electricity Commissioners.

Savings for jury service and pending proceedings before justices and coroners.

66. Notwithstanding the alterations of area made by this order—

(1) 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 and parish in which it is comprised; and

(2) every person committing an offence prior to the appointed day in any of the transferred areas 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 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.

Parish books and documents.

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

Saving for registration districts and sub-districts.

68. In any scheme made by either of the county councils or the Registrar-General under section 24 of the Local Government Act 1929 affecting any of the transferred areas regard shall be had to the provisions of this order but until the date on which such a scheme comes into operation nothing

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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 private street works.

69.—(1) The transfer of an area to another county or district shall not affect any notices given or proceedings taken by the council of the county or district from which the area is transferred under section 150 of the Public Health Act 1875 or the Private Street Works Act 1892 in relation to any street situate within that transferred area and any such proceedings may be continued and completed in accordance with the section or Act under which the notices were given if the street is transferred to an urban district by the council of that urban district or if the street is transferred to a rural district by the council of the county to which the street is transferred.

(2) Where before the appointed day any works under section 150 of the Public Health Act 1875 or the Private Street Works Act 1892 have been completed in a street within any of the transferred areas nothing in this order shall affect the liability of any owner to defray any sum which may be apportioned upon him in respect of the cost of the works and any such sum may be recovered by the council who are authorised by subsection (1) of this section to continue and complete proceedings in relation to the street.

Saving for contracts legal proceedings &c.

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

Provided that—

(*a*) any action cause of action or proceeding by or against a county council or district council in relation exclusively to an area which is transferred to another county or district may be prosecuted and enforced by or against the council of the county or district to which the area is transferred;

(*b*) any proceedings pending immediately before the appointed day before any assessment committee in relation to hereditaments which are transferred from one assessment area to another assessment area shall be continued subject to the substitution of the

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assessment committee of the area to which the hereditaments are transferred for the assessment committee of the area from which the hereditaments are transferred;

(c) any such instrument entered into or made by a county council or district council in relation exclusively to any of the transferred areas shall be of as full force and effect against or in favour of the council of the county or district to which the area is transferred and may be enforced as fully and effectually as if instead of the authority named in the instrument the council of the county or district to which the area is transferred had been a party thereto.

(2) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary to bring them into conformity with the provisions of this order.

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

Other savings.

71. Nothing in this order shall—

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

(2) affect the powers of either of the county councils for the division of a parliamentary county into polling districts for parliamentary elections or for the division of their administrative 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 to 1932 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 power right interest or jurisdiction in or over or in connection with any charitable endowment;

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

(6) affect the proceedings at the ordinary elections of district councillors in the year nineteen hundred and thirty-three but any person elected at any such election for any electoral area which is altered shall be deemed to have been elected to represent that electoral area as altered.

SCHEDULES.

FIRST SCHEDULE.

PARTS OF PARISHES TRANSFERRED FROM CHESHIRE TO LANCASHIRE. PARISHES TO WHICH THEY ARE TRANSFERRED AND URBAN OR RURAL DISTRICT FROM WHICH THEY ARE TRANSFERRED.

1.	2.	3.	4.
Existing parish from which area transferred.	Colour of transferred area on the maps.	Parish to which transferred.	District from which transferred.
Lymm - -	Yellow - -	Rixton with Glazebrook.	Lymm Urban District.
,, - -	Green - -	Woolston with Martinscroft.	,,
Warburton- -	Yellow - -	Rixton with Glazebrook.	Bucklow Rural District.
Acton Grange -	Grey - -	Penketh - -	Runcorn Rural District.
Moore - -	Grey - -	,, - -	,,
Norton - -	Blue - -	Cuerdley - -	,,
Grappenhall -	Green - -	Woolston with Martinscroft	,,
Thelwall - -	Green - -	,, -	,,

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SECOND SCHEDULE.

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PARTS OF PARISHES TRANSFERRED FROM LANCASHIRE TO CHESHIRE.

PARISHES DISTRICTS ELECTORAL DIVISIONS GUARDIANS COMMITTEE AREAS AND ASSESSMENT AREAS TO WHICH THEY ARE TRANSFERRED.

1.	2.	3.	4.	5.	6.
Existing parish and district from which area transferred.	Colour of transferred area on the maps.	Parish to which transferred.	District to which transferred.	Electoral Division.	Guardians Committee Area and Assessment Area.
Warrington Rural District.					
Rixton with Glazebrook.	Pink	Lymm	Lymm Urban District.	Lymm	Bucklow.
,,	Purple	Warburton	Bucklow Rural District.	,,	,,
Woolston with Martinscroft.	Brown	Thelwall	Runcorn Rural District	Appleton	Northwich and Runcorn.

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 the Cheshire and Lancashire Order, 1932, 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 section 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 section 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 section, 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 or order of an arbitrator, shall be a purpose for which the council or other authority may borrow under any public general or local 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 equal yearly or half-yearly instalments of principal, or of principal and interest combined, or by means of a sinking fund or stock redemption fund set apart, invested and applied in accordance with the Act under which the money is borrowed, or with the

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regulations which apply to stock created by the council or other authority.

(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 section, 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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