



CHAPTER clxxxviii.

An Act to confirm a Scheme made under the London Government Act 1899 relating to the Counties of London and Middlesex. A.D. 1905.
—
[11th August 1905.]

WHEREAS the Committee of the Privy Council under the London Government Act 1899 have settled the scheme set forth in the schedule hereto under and in accordance with the provisions of that Act: 62 & 63 Vict.
c. 14.

And whereas that scheme requires the confirmation of Parliament:

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

1. The scheme set out in the schedule hereto shall be and the same is hereby confirmed. Scheme in
schedule
confirmed.

2. This Act may be cited as the London Government Scheme (London and Middlesex Adjustment) Confirmation Act 1905. Short title.

A.D. 1905.

S C H E D U L E.

SCHEME MADE UNDER THE LONDON GOVERNMENT
ACT 1899.

London and
Middlesex.

WHEREAS by virtue of section eighteen of the London Government Act 1899 (in this Scheme referred to as "the Act") and of the London (South Hornsey) Order in Council 1900 the urban district of South Hornsey consisting of the parish of South Hornsey in the county of Middlesex ceased as from the commencement of that Order to form part of that county and became part of the county of London :

And whereas the said parish of South Hornsey when in the county of Middlesex formed part of the Edmonton Poor Law Union :

And whereas the area of the said urban district of South Hornsey continues to form part of the Hornsey Division of the Parliamentary County of Middlesex :

And whereas by virtue of section eighteen of the Act and of the London (Clerkenwell Detached) Order in Council 1900 a detached part of the parish of St. James and St. John Clerkenwell in the county of London (in this Scheme referred to as Clerkenwell detached) ceased as from the commencement of that Order to form part of that county and became part of the county of Middlesex and was annexed to the parish of Hornsey a parish comprised in the Edmonton Poor Law Union but continues to form part of the Central Division of the Parliamentary Borough of Finsbury :

And whereas by section fifteen of the Act it is enacted that it shall be lawful for His Majesty in Council to refer to a Committee of the Privy Council the appointment of Commissioners to prepare such schemes as are required for carrying the Act into effect and that the Committee may settle the schemes so prepared :

And whereas by section sixteen of the Act it is enacted that a scheme under the Act may make provision for the matters in that section mentioned and amongst other things—

- (a) for such adjustments as may be required for carrying into effect any of the provisions of the Act or for preventing any injustice with respect to the incidence of any rate or the discharge of any liability or otherwise; and
- (b) for carrying into effect the Act or any Order in Council made thereunder ;

and may contain any incidental consequential or supplemental provisions which may appear to be necessary or proper for the purposes of the scheme :

[5 EDW. 7.] *London Government Scheme* [Ch. clxxxviii.]
(*London and Middlesex Adjustment*) Confirmation Act, 1905.

A.D. 1905.

And whereas by section five of the London (Financial Arrangements) Scheme 1900 it is provided that where any adjustment (other than such an adjustment as is in that section mentioned) is required for the purposes of the Act or of any Order or Scheme or other thing made or done under the Act the authorities interested may within the period therein mentioned make agreements for the purpose and may thereby adjust any property income debts liabilities and expenses so far as affected by the Act or any such Order Scheme or thing of the parties to the agreement or of their predecessors and that any such agreement may provide for the transfer or retention of any property debts or liabilities with or without any conditions and for payment by any party to the agreement in respect of property debts or liabilities so transferred or retained and that either by way of an annual payment or by way of a capital sum or of a terminable annuity and that any such agreement shall be valid only if and so far as it is confirmed by a Scheme under the Act and that any such Scheme may confirm the agreement either with or without modifications and that in default of an agreement being so made and confirmed and so far as any such agreement does not extend such adjustment (if any) as may be deemed by the Commissioners to be required between the authorities shall be settled by a Scheme under the Act :

And whereas the County Council of London and the County Council of Middlesex have agreed that—

- (a) as respects the transfer of South Hornsey from Middlesex to London the County Council of London shall make to the County Council of Middlesex the payments specified in Part I. of the First Schedule to this Scheme and the County Council of Middlesex shall make to the County Council of London the payment specified in Part II. of that schedule ; and
- (b) as respects the transfer of Clerkenwell detached from London to Middlesex the County Council of Middlesex shall make to the County Council of London the payments specified in Part I. of the Second Schedule to this Scheme and the County Council of London shall make to the County Council of Middlesex the payment specified in Part II. of that schedule ;

but save as aforesaid no agreement for adjustment has been arrived at between the said councils :

And whereas the Commissioners appointed by the said Committee of the Privy Council deem that in addition to the payments to be made in accordance with the said agreement such adjustment as is herein-after mentioned is required between the County Council of London and the County Council of Middlesex :

And whereas the Commissioners appointed by the said Committee of the Privy Council have prepared a Scheme containing the provisions herein-after set forth :

[Ch. clxxxviii.] *London Government Scheme* [5 EDW. 7.]
(*London and Middlesex Adjustment*) *Confirmation Act, 1905.*

A.D. 1905.

Now therefore pursuant to the Act and every other power enabling them in that behalf the said Committee of the Privy Council have settled a Scheme containing the provisions herein and do hereby direct order and declare as follows:—

Confirmation
of agreement.

1. The said agreement is hereby confirmed and the County Council of London shall make to the County Council of Middlesex the payments specified in Part I. of the First Schedule and Part II. of the Second Schedule to this Scheme and the County Council of Middlesex shall make to the County Council of London the payments specified in Part II. of the First Schedule and Part I. of the Second Schedule to this Scheme.

Additional
payments by
way of adjust-
ment.

2.—(1) In addition to the above-mentioned payments the County Council of London shall pay to the County Council of Middlesex—

(a) in respect of the transfer of the parish of South Hornsey from Middlesex to London a part of the expenses of the County Council of Middlesex with respect to the registration of electors of that county which have been incurred and paid since the eighth day of November nineteen hundred or which may hereafter be paid by that council such part to be calculated as nearly as may be in the proportion which the number of electors registered in respect of qualifying premises situate in the area formerly comprised in the urban district of South Hornsey in each year bore or bears to the total number of electors of the Hornsey Division of the Parliamentary County of Middlesex in that year so long as that area continues to form part of that division; and

b) in respect of the transfer of Clerkenwell detached from London to Middlesex—

(i) an annual sum of sixty pounds commencing as from the first day of April nineteen hundred and one on account of the sums which have been received by or may hereafter be paid to the County Council of London under the Local Government Act 1888 the Finance Act 1894 and the Customs and Inland Revenue Act 1890 out of estate duty and customs and excise duties so long as such sums continue payable; and

(ii) a capital sum of one hundred and twenty pounds on account of the tramway undertaking of the County Council of London.

(2) In addition to the above-mentioned payments the County Council of Middlesex shall pay to the County Council of London—

(a) in respect of the transfer of the parish of South Hornsey from Middlesex to London the annual sum of two thousand and forty-nine pounds commencing as from the first day of April

[5 EDW. 7.] *London Government Scheme* [Ch. clxxxviii.]
(*London and Middlesex Adjustment*) Confirmation Act, 1905.

nineteen hundred and one on account of the sums which have been received by or which may hereafter be paid to the County Council of Middlesex under the Local Government Act 1888 the Finance Act 1894 and the Customs and Inland Revenue Act 1890 out of estate duty and customs and excise duties so long as those sums continue payable; and

A.D. 1905.

- (b) in respect of the transfer of Clerkenwell detached from London to Middlesex a part of the expenses of the County Council of London with respect to the registration of electors of the Parliamentary Borough of Finsbury which have been incurred and paid since the eighth day of November nineteen hundred or which may hereafter be paid by that council such part to be calculated as nearly as may be in the proportion which the number of electors registered in respect of qualifying premises situate in the area of Clerkenwell detached in each year bore or bears to the total number of electors of that Borough in that year so long as that area continues to form part of that Borough.

3.—(1) Notwithstanding anything in the certificate of the Local Government Board dated the eleventh day of September eighteen hundred and eighty-nine under subsection (1) of section twenty-six of the Local Government Act 1888 with reference to the expenditure of the Guardians of the Edmonton Union on the salaries remuneration and superannuation allowances of the officers of the union (other than teachers in Poor Law schools) and on drugs and medical appliances the sum of seven thousand eight hundred and seventy-four pounds shall be and shall as from the first day of April nineteen hundred and one be deemed to have been substituted for the sum of eight thousand three hundred and seventy-one pounds as the annual amount to be granted to the said guardians in respect of expenditure on the matters aforesaid.

Certificate
under
51 & 52 Vict.
c. 41. s. 26 (1).

(2) For the purpose of giving effect to the foregoing provision so far as it relates to the financial years ending before the confirmation of this Scheme the council of any county by which any part of the sum mentioned in the said certificate is payable to the guardians of the Edmonton Union shall be entitled out of the payments due by the council to the said guardians under the said certificate in respect of each of the five financial years ending after the confirmation of this Scheme to deduct and retain for their own use one fifth of the total amount by which the sums actually paid by the council to the said guardians under the said certificate exceeds the amount which would have been paid by the council to the said guardians had the sum of seven thousand eight hundred and seventy-four pounds been substituted for the sum of eight thousand three hundred and seventy-one pounds in that certificate.

4.—(1) Subject to any agreement to the contrary between the County Council of London and the County Council of Middlesex any payment from

Date of pay-
ment.

[Ch. clxxxviii.] *London Government Scheme* [5 EDW. 7.]
(*London and Middlesex Adjustment*) *Confirmation Act, 1905.*

A.D. 1905. — one such council to the other which under this Scheme is payable in respect of a period subsequent to the confirmation of this Scheme shall be made within two months after the expiration of the financial year in which it accrues due and every other payment under this Scheme from one such council to the other shall be made within two months after the confirmation of this Scheme.

(2) Where a continuing payment is by virtue of this Scheme payable as from a date preceding the confirmation of this Scheme the sums payable in respect of any period before that confirmation shall be deemed to be capital sums.

Term for re-
payment of
capital sums.

5. If the County Council of London or the County Council of Middlesex borrow for the purpose of paying any sum which by virtue of this Scheme is a capital sum the period within which the sum so borrowed shall be repaid shall be—

- (a) if the sum is a capital sum by virtue of section four of this Scheme five years from the date of borrowing; and
- (b) in any other case thirty years from the date of borrowing.

Short title
construction
and effect.

6.—(1) This Scheme may be cited as the London and Middlesex (Adjustment) Scheme 1905.

(2) The Interpretation Act 1889 applies for the purpose of the interpretation of this Scheme as it applies to an Act of Parliament.

(3) This Scheme shall have effect subject to the provisions of any future Scheme made under the Act.

FIRST SCHEDULE.

PART I.

PAYMENTS AGREED TO BE MADE BY THE COUNTY COUNCIL OF LONDON TO THE COUNTY COUNCIL OF MIDDLESEX IN RESPECT OF SOUTH HORNSEY.

(a) The capital sum of fourteen thousand three hundred and fifteen pounds on account of the share of the parish of South Hornsey in the capital liabilities and outstanding debts of the County Council of Middlesex on the ninth day of November nineteen hundred.

(b) One forty-sixth part of the cost of the maintenance as from the eighth day of November nineteen hundred of the twenty-eight pauper lunatics in asylums of the one hundred and ninety-nine inmates of reformatory and industrial schools and of the eight inmates of inebriate homes who were chargeable to the county rate of Middlesex on that day until such persons cease to be chargeable to the county rate of that county.

[5 EDW. 7.] *London Government Scheme* [Ch. clxxxviii.]
(*London and Middlesex Adjustment*) *Confirmation Act, 1905.*

(c) One forty-sixth part of the sums which have been paid or which may hereafter be paid by the County Council of Middlesex for periods subsequent to the eighth day of November nineteen hundred in respect of the contributions of the County Council on account of the pensions awarded prior to the first day of April eighteen hundred and eighty-nine to officers of prisons and officers of Hanwell and Colney Hatch Asylums and Feltham School. A.D. 1905.

(d) One forty-sixth part of the sums which have been paid or which may hereafter be paid by the County Council of Middlesex for periods subsequent to the eighth day of November nineteen hundred in respect of their contribution towards the pensions which have been or may be awarded to officers of prisons after the first day of April eighteen hundred and eighty-nine.

(e) One forty-sixth part of the sums which have been paid or which may hereafter be paid by the County Council of Middlesex for periods subsequent to the eighth day of November nineteen hundred in respect of pensions awarded by them since the twenty-ninth day of June eighteen hundred and eighty-nine and prior to the ninth day of November nineteen hundred to officers and servants of the Wandsworth County Asylum.

(f) One forty-sixth part in the case of any pension which may have been granted since the eighth day of November nineteen hundred or may hereafter be granted by the County Council of Middlesex to an officer of the Wandsworth Asylum for services rendered partly before and partly after that day of such a sum as having regard to the full amount of the pension would have been payable by the County Council to such officer if such pension had been computed on his period of service prior to that day and on the amount of his salary or other remuneration on that day.

(g) One forty-sixth part of the sums which have been paid since the eighth day of November nineteen hundred or may hereafter be paid by the County Council of Middlesex in respect of the salaries of officers and other expenses of the Central Criminal Court subject to any future order of that Court re-apportioning the expenses.

(h) One forty-sixth part of the Middlesex proportion fixed by the award of the Commissioners under the Local Government Act 1888 of the sums which have been paid since the eighth day of November nineteen hundred or may hereafter be paid by the County Council of Middlesex in respect of the expenses of Seckford's Charity.

PART II.

PAYMENT AGREED TO BE MADE BY THE COUNTY COUNCIL OF MIDDLESEX TO THE COUNTY COUNCIL OF LONDON IN RESPECT OF SOUTH HORNSEY.

The capital sum of fifteen thousand and fourteen pounds on account of the share of the parish of South Hornsey on the ninth day of November

[Ch. clxxxviii.] *London Government Scheme* [5 EDW. 7.]
(*London and Middlesex Adjustment*) *Confirmation Act, 1905.*

A.D. 1905. nineteen hundred in the properties of the county of Middlesex other than the county bridge fund including proportion of cash balances and of county rate for the half year ending the thirty-first day of March nineteen hundred and one.

SECOND SCHEDULE.

PART I.

PAYMENTS AGREED TO BE MADE BY THE COUNTY COUNCIL OF MIDDLESEX TO THE COUNTY COUNCIL OF LONDON IN RESPECT OF CLERKENWELL DETACHED.

(a) The capital sum of seven hundred and fourteen pounds on account of the share of Clerkenwell detached in capital liabilities and outstanding debts of the County Council of London on the ninth day of November nineteen hundred.

(b) $\frac{5,855}{32,976,171}$ ths of the sums which have been paid since the eighth day of November nineteen hundred or may hereafter be paid by the County Council of London for periods subsequent to that day in respect of the contributions of that county council on account of the pensions awarded prior to the first day of April eighteen hundred and eighty-nine to the prison officers and the officers of county asylums and Feltham School.

(c) $\frac{5,855}{32,976,171}$ ths of the cost of the maintenance as from the eighth day of November nineteen hundred of the hundred and three inmates of inebriate homes who were chargeable to the county rate of London on that day until such persons cease to be chargeable to the county rate of that county.

(d) $\frac{5,855}{32,976,171}$ ths of the sums which have been paid or which may hereafter be paid by the County Council of London for periods subsequent to the eighth day of November nineteen hundred in respect of their contribution towards the pensions which have been or may be awarded to officers of prisons after the first day of April eighteen hundred and eighty-nine.

(e) $\frac{5,855}{37,562,188}$ ths of the sums which have been paid since the eighth day of November nineteen hundred or may hereafter be paid by the County Council of London in respect of the salaries of officers and other expenses of the Central Criminal Court subject to any future order of that Court re-apportioning the expenses.

[5 EDW. 7.] *London Government Scheme* [Ch. clxxxviii.]
(London and Middlesex Adjustment) Confirmation Act, 1905.

(f) $\frac{5,855}{37,562,188}$ ths of the London proportion fixed by the award of the A.D. 1905.
Commissioners under the Local Government Act 1888 of the sums which
have been paid since the eighth day of November nineteen hundred or may
hereafter be paid by the County Council of London in respect of Seckford's
Charity.

PART II.

PAYMENT AGREED TO BE MADE BY THE COUNTY COUNCIL OF LONDON TO
THE COUNTY COUNCIL OF MIDDLESEX IN RESPECT OF CLERKENWELL
DETACHED.

The capital sum of seven hundred and forty-five pounds on account
of the share of Clerkenwell detached on the ninth day of November nineteen
hundred in properties of the county of London including cash balances and
proportion of county rate for the half year ending the thirty-first day of
March nineteen hundred and one but exclusive of the tramway undertaking
of the County Council of London.

Printed by EYRE and SPORTISWOODE,

FOR

ROWLAND BAILEY, Esq., M.V.O., I.S.O., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
WYMAN AND SONS, LTD., FETTER LANE, E.C.; or
OLIVER AND BOYD, EDINBURGH; or
E. PONSONBY, 116, GRAFTON STREET, DUBLIN.