



CHAPTER cv.

An Act to extend the boundaries of the borough of Birkenhead and for other purposes. A.D. 1927.

[29th July 1927.]

WHEREAS the borough of Birkenhead (in this Act referred to as "the borough") is a municipal borough subject to the Acts relating to municipal corporations and is a county borough within the meaning of the Local Government Act 1888 and is subject to the jurisdiction of the mayor aldermen and burgesses of the borough (in this Act referred to as "the Corporation"):

And whereas the borough comprises the township of Birkenhead which is situate in the Birkenhead Poor Law Union:

And whereas the townships of Bidston-cum-Ford Landican Thingwall and Prenton form areas adjoining the borough and are subject to the jurisdiction of the rural district council of Wirral:

And whereas the said township of Bidston-cum-Ford forms part of the Birkenhead Poor Law Union and the other of the said townships form part of the Wirral Poor Law Union:

And whereas it is expedient that the boundaries of the borough should be extended so as to include therein the whole of the said townships other than a portion of the township of Bidston-cum-Ford:

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And whereas it is expedient that the boundaries of the township of Birkenhead should be extended so as to include therein the portion of the township of Bidston-cum-Ford by this Act added to the borough :

And whereas the unrepealed provisions of the several Acts Provisional and other Orders specified in the schedule to this Act are immediately prior to the passing of this Act in force within the borough and it is expedient that those Acts and Orders as amended by this Act should apply throughout the borough as extended by this Act :

And whereas it is expedient that the other powers contained in this Act should be conferred :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Act 1872 have been observed :

May it therefore please Your Majesty that it may be enacted and be it 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 (that is to say) :—

Short title.

1. This Act may be cited as the Birkenhead Extension Act 1927.

Interpre-
tation.

2. In this Act unless the subject or context otherwise requires the expressions—

“The appointed day” means the first day of April one thousand nine hundred and twenty-eight;

“The existing borough” means the borough of Birkenhead as it exists at the passing of this Act;

“The borough” means until the appointed day the existing borough and thereafter the existing borough as extended by this Act;

“The council” means the council of the borough;

“The Corporation” means the mayor aldermen and burgesses of the borough acting by the council;

- “The town clerk” means the town clerk of the borough and includes any person duly appointed by the Corporation to discharge temporarily the duties of any such officer; A.D. 1927.
- “The borough fund” and “the borough rate” mean respectively the borough fund and the borough rate of the borough until the date when the first new valuation list made under Part II of the Rating and Valuation Act 1925 comes into force in the borough and thereafter the general rate fund and the general rate of the borough;
- “The borough map” means the map marked “Map of the Borough of Birkenhead as extended by the Birkenhead Extension Act 1927” and signed in triplicate by the Right Honourable Viscount Younger of Leckie the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred one of which has been deposited in the Parliament Office of the House of Lords one in the Committee and Private Bill Office of the House of Commons and one with the town clerk at his office;
- “The county” and the “county council” mean respectively the administrative county of Chester and the county council of that county;
- “The Wirral District” and “the Wirral Council” mean respectively the rural district of Wirral and the rural district council of that district;
- “The parish councils” means the parish councils of the existing townships of Bidston-cum-Ford Thingwall and Prenton;
- “The added area” means the portion of the township of Bidston-cum-Ford and the townships of Landican Thingwall and Prenton by this Act added to the borough;
- “The added part of Bidston-cum-Ford” means the part of the existing township of Bidston-cum-Ford which is by this Act added to the borough and is edged red on the borough map and “the excluded part of Bidston-cum-Ford” means the remaining part thereof;

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“The township” means the township of Birkenhead as formed by the amalgamation by this Act authorised of the existing township of Birkenhead and the added part of Bidston-cum-Ford;

“Existing” in relation to any area altered by this Act means existing immediately before the appointed day;

“The Minister” means the Minister of Health;

“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” means an officer whose remuneration is paid by a local authority and includes the clerk to the Wirral Assessment Committee;

“The Act of 1888” and “the Act of 1894” mean respectively the Local Government Act 1888 and the Local Government Act 1894;

“The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and the Acts amending and extending the same;

“The Act of 1907” means the Public Health Acts Amendment Act 1907;

“The Act of 1925” means the Rating and Valuation Act 1925; and

“Revenues of the Corporation” includes the revenues of the Corporation from time to time arising from any land undertaking or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation.

Commence-
ment of Act.

3. This Act shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject matter or context inconsistent therewith come into operation on the appointed day:

Provided that for the purposes of all proceedings preliminary or relating to any local government election to be held in the year one thousand nine hundred and twenty-eight for any area affected by this Act this Act shall operate from the passing thereof.

4. The boundary of the existing borough the area whereof is edged pink on the borough map shall be altered and extended so as to include the added area the boundaries of which are shown by the red dotted line on the borough map and the whole of the borough as so altered and extended shall for the purposes of the Municipal Corporations Acts and for all other purposes be the borough and shall be the county borough of Birkenhead for the purposes of the Act of 1888.

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Extension of
borough.

5.—(1) Copies of the borough map deposited with the town clerk certified by him to be true shall be sent within one month after the passing of this Act to the clerk to the county council to the clerk to the Wirral Council to the clerk to the Birkenhead Poor Law Union to the clerk to the Wirral Poor Law Union to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Postmaster-General to the Board of Trade to the Minister to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners.

Deposit of
maps.

(2) Copies of or extracts from the borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *primâ facie* evidence of the contents of the borough map so far as it relates to the boundaries of the borough and the borough map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

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

6. The number of councillors of the borough shall be increased from forty-two to forty-five and the number of aldermen shall be increased from fourteen to fifteen.

Number of
councillors
and alder-
men.

7. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of the number and boundaries of wards and the number of councillors the following provisions shall have effect:—

Division of
borough
into wards.

(a) For the purposes of the election of councillors the borough shall be divided into eleven wards;

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(b) The existing wards and the number of councillors respectively apportioned thereto shall remain unaltered;

(c) So much of the borough as comprises the added area shall constitute two new wards as follows:—

(i) The added part of Bidston-cum-Ford shall form one ward to be named the Bidston Ward;

(ii) The existing townships of Landican Thingwall and Prenton shall form one ward to be named the Prenton Ward;

(d) One councillor shall be assigned to the Bidston Ward and two councillors to the Prenton Ward.

First election of additional councillors and alderman.

8.—(1) The first election of councillors for the new wards constituted by this Act shall be held on the twenty-first day of March one thousand nine hundred and twenty-eight and the mayor of the existing borough or some other person appointed by him shall be the returning officer at the election.

(2) The first election of the additional alderman of the borough shall take place on the fourth day of April one thousand nine hundred and twenty-eight and the additional alderman then to be elected shall be chosen from among the persons qualified to be councillors who are resident in the Prenton Ward or are registered as local government electors in respect of qualifying premises situate therein.

Retirement of councillors for new wards and of additional alderman.

9.—(1) The councillors elected for the new wards in the year one thousand nine hundred and twenty-eight shall retire as follows:—

(a) The councillor who is elected for the Bidston Ward and the councillor who is elected for the Prenton Ward by the larger number of votes on the first day of November one thousand nine hundred and thirty-one;

(b) the other councillor who is elected for the Prenton Ward on the first day of November one thousand nine hundred and thirty.

(2) The additional alderman elected for the borough in the year one thousand nine hundred and twenty-eight in pursuance of this Act shall retire on the ninth day of November one thousand nine hundred and thirty-two.

(3) If the election of any councillor was not contested or for any reason it is doubtful which of the councillors ought to retire on the dates above specified the council shall at their first available meeting and not later determine the question. A.D. 1927.

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

11.—(1) The added part of Bidston-cum-Ford and the townships of Landican and Thingwall shall be separated from the existing West Kirby electoral division of the county and the township of Prenton shall be separated from the existing Bebington electoral division of the county. County electoral divisions.

(2) The persons who immediately before the appointed day are the county councillors respectively representing the existing West Kirby and Bebington electoral divisions of the county shall be deemed to have been elected to represent those divisions as altered by this Act and shall retire on the day on which they would respectively have retired if this Act had not been passed.

12.—(1) The powers rights privileges authorities and duties of the quarter sessions recorder clerk of the peace coroner and the justices of the peace for the existing borough and of the clerk to those justices and of the police constables and other peace officers of the existing borough shall extend to and apply throughout the borough : Powers and duties of justices &c. extended.

Provided that—

- (a) every person committing an offence in any part of the added area prior to the appointed day shall be tried and dealt with as if this Act had not been passed; and
- (b) every proceeding which prior to the appointed day shall have been begun by or before any justice or any coroner in relation to any matter arising in or concerning any part of the added area may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

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(2) The added area shall cease to form part of the petty sessional division of Wirral and of the Chester coroner's district of the county.

Officers of Corporation continued.

13. The town clerk and all other officers and servants of the Corporation of the existing borough who hold office on the appointed day shall continue to be the town clerk and officers and servants of the Corporation of the borough and shall hold their offices by the same tenure as on that day.

Corporation property &c.

14. Subject to the provisions of this Act all property vested in the Corporation at the appointed day for the benefit of the existing borough shall by virtue of this Act be held by the Corporation for the benefit of the borough and the Corporation shall hold enjoy and exercise for the benefit of the borough all the powers which on the day aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing borough and all liabilities which on the day aforesaid attach to the Corporation in respect of the existing borough shall from and after that day attach to them in respect of the borough.

Mortgage debts of Wirral Council county council and Corporation.

15.—(1) The liability for repayment of so much of any moneys borrowed by the Wirral Council or the county council (or their respective predecessors) for a purpose relating exclusively to any part of the added area as will be owing at the appointed day and for the payment of the interest thereon shall by virtue of this Act be transferred to and attach to the Corporation.

(2) So much as will at the appointed day be owing in respect of any moneys borrowed as aforesaid together with so much of any sums borrowed by the Corporation as will at the appointed day be owing and charged upon the revenues borough fund and borough rate of the existing borough shall by virtue of this Act be charged upon the revenues of the Corporation and the borough fund and borough rate.

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

(4) Nothing in this Act shall prejudice or affect any mortgage or other security which has been granted in respect of any borrowed moneys the liability for the repayment of which is transferred to the Corporation by subsection (1) of this section or the powers of any person entitled under any such mortgage or other security to enforce the same as if this Act had not been passed and where for any such purpose it is necessary to continue the exercise of a power which would have existed but for this Act the power may continue to be exercised as if this Act had not been passed and the borough rate shall for any such purpose be levied and have effect in substitution for the rate which would have been leviable if this Act had not been passed.

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16. Subject to the provisions of this Act the powers rights privileges authorities and duties of the county council and the standing joint committee of the county respectively shall as from the appointed day cease to be exercisable by or attach to that council and committee so far as regards the added area.

Jurisdiction
of county
authorities
to cease.

17.—(1) Subject to the provisions of this Act the unrepealed provisions of the local Acts and Orders specified in the schedule to this Act and of any other local Act (including any local Act passed or to be passed during the present session of Parliament) or of any other Order confirmed by or having the effect of an Act of Parliament and affecting the existing borough or the Corporation as the same respectively are in force within the existing borough at the appointed day shall extend and apply to the borough and any reference therein to the existing borough and the Corporation shall be deemed to refer to the borough and the Corporation. Provided that nothing in this section shall be deemed to extend the limits within which the Corporation are authorised to supply water.

Local Acts
and Orders.

(2) Nothing in this Act shall prejudice the operation of proviso (4) to section 71 (Saving for existing burial boards) of the Birkenhead Corporation Act 1897.

(3) Any provisions in any local Act or any Order duly confirmed or having effect as if enacted by Parliament for the benefit or protection of any of the parish councils or of the county council or of the standing joint committee of the county or of the Wirral Council or their

A.D. 1927. — respective predecessors shall (so far as they relate to or affect any part of the added area) from and after the appointed day enure for the benefit and protection of the Corporation and shall be construed as if a reference to the Corporation were substituted for any reference to any such council or committee or their predecessors as the case may be.

Electricity
limits.

18. So much of the added area as comprises the existing townships of Landican and Thingwall shall for all purposes be included within the limits for the supply of electricity by the Corporation and the Wirral and Neston Electricity Special Order 1925 so far as it relates to the said townships is hereby repealed.

Adoptive
Acts.

19.—(1) The provisions of—

The Baths and Washhouses Acts 1846 to 1925;

The Infectious Disease (Prevention) Act 1890
(except sections 12 15 19 22 and 23);

Parts III and V of the Public Health Acts Amend-
ment Act 1890;

The Museums and Gymnasiums Act 1891 so far as
it relates to museums only;

The Public Libraries Acts 1892 to 1919;

The Local Government and other Officers' Super-
annuation Act 1922; and

Parts II (except sections 17 18 19 21 24 and 34) III
(except sections 36 and 39) IV and V of the
Public Health Act 1925;

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

(2) The provisions of any adoptive Act other than the Acts in force in the existing borough shall cease to be in force in the added area.

(3) Any order under the Infectious Disease (Notifi-
cation) Act 1889 or under any adoptive Act mentioned in subsection (1) of this section which may be in force at the appointed day throughout the existing borough shall extend and apply to the added area and any such order in force at the appointed day in the added area shall cease to be in force therein.

20. Subject to the provisions of any order which the Minister or the Secretary of State may make after the appointed day—

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—
Powers
under
Act of 1907.

- (a) The provisions of any order made before the appointed day whereby any parts or sections of the Act of 1907 are in force immediately before the appointed day in the existing borough shall have effect as if any reference in those provisions to the existing borough extended and applied to the borough and as if the said parts or sections were accordingly in force in the borough;
- (b) Any other order under the Act of 1907 which is in force at the appointed day throughout the existing borough shall extend and apply to the added area;
- (c) The provisions of any order made before the appointed day and declaring to be in force in any part of the added area any parts or sections of the Act of 1907 shall cease to apply to any such part and subject to the provisions of this section the parts or sections declared by any such order to be in force shall cease to be in force in any such part but this provision shall not prejudice or affect any proceedings which are pending on the appointed day.

21. The Corporation shall be the burial board for the borough except the Clifton Egerton Mersey and Bebington Wards of the existing borough all of which are included within the area of the Bebington Burial Board. Provided that nothing in this Act shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the appointed day or prejudicially affect any right privilege or authority which immediately prior thereto is exerciseable by or attaches to any incumbent or sexton under the Burial Acts 1852 to 1906 :

Corporation
to be burial
board.

Provided also that no rate levied by the Corporation as the Birkenhead and Claughton Burial Board shall be chargeable upon any hereditaments within the Clifton Egerton Mersey Bebington and Oxton Wards of the existing borough or within a ward comprising any part

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A.D. 1927. — of the added area and that no rate levied by the Bebington Burial Board shall be chargeable upon any hereditaments within any part of the borough except the Clifton Egerton Mersey and Bebington Wards.

Orders under section 33 of Act of 1894. **22.** An order may be made by the Minister under section 33 of the Act of 1894 with respect to any charity held wholly or partly for the benefit of the inhabitants of any existing township affected by this Act as if this Act had not been passed.

Orders under Shop Hours Act 1904 or Shops Acts 1912 to 1920. **23.** Any order in force under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the appointed day in any area affected by this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applies immediately before the appointed day.

Orders under Wild Birds Protection Acts. **24.** Any order under the Wild Birds Protection Acts 1880 to 1908 which is in force at the appointed day in any area affected by this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applies immediately before the appointed day.

Byelaws. **25.—(1)** All byelaws made under the Public Health Acts and in force within the existing borough or within the added area immediately before the appointed day shall continue to apply to the existing borough or to the added area as the case may be until repealed or altered by the Corporation.

(2) All other byelaws made by the Corporation or by the watch committee of the borough and in force immediately before the appointed day shall apply to the borough and all byelaws made by the county council or the standing joint committee shall on that day cease to apply within the added area.

(3) In their application to the added area any byelaws continued in force by this section shall have effect as if they had been made by the Corporation and as if the added area were referred to therein instead of the area to which they now apply.

(4) Any proceedings which if this Act had not passed might have been taken for any offence against any byelaw

committed before the appointed day within the added area may be taken by the Corporation. A.D. 1927.

(5) In this section "byelaws" includes any regulation scale of charges list of tolls or table of fees or payments and the phrase "byelaws made under the Public Health Acts" includes all byelaws to which section 184 of the Public Health Act 1875 applies.

26.—(1) Any byelaws under the Education Act 1921 or any enactment repealed by that Act which may be in force in the existing borough immediately before the appointed day shall apply to the borough until revoked or altered by the Corporation and from and after that day any byelaws then in force in the added area shall cease to be in force therein. Education
byelaws and
managers.

(2) Any manager of any public elementary school in the added area who was appointed by the county council or by any of the parish councils shall vacate office at the appointed day.

27. Any reference in this Act to the provisions of the Education Act 1921 shall as respects any provision of that Act which may not be in operation at the appointed day be construed as a reference to the corresponding provision of the Education Acts 1870 to 1919 until such corresponding provision is repealed by the Education Act 1921. Reference to
Education
Act 1921.

28.—(1) At the appointed day such number of the members of the police force of the county as shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committee of the county and the watch committee of the borough or in default of any such agreement as shall be determined by the Secretary of State shall be transferred to and become part of the police force of the borough: County
police.

Provided that no member of the police force of the county shall be so transferred without his consent.

(2) Every member of the county police force so transferred shall hold office in the police force of the borough upon the same tenure and subject to the same terms and conditions as the other serving members of that police force of the same rank as such member and any period of service which he was entitled to reckon before

A.D. 1927. such transfer for purposes of pay promotion or pension in the county police force shall be reckoned for the same purposes in the police force of the borough :

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

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

County
police
stations.

29. Any county police station and the site thereof situate in the added area with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall by virtue of this Act be transferred to and vest in the Corporation as from the appointed day for all the estate and interest therein of the county council and section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this section.

Powers
property
&c. of
Wirral
Council.

30.—(1) The Wirral Council shall cease to exercise any powers or discharge any duties within any part of the added area.

(2) Subject to any necessary adjustment all property or liabilities which immediately before the appointed day are vested in or attach to the Wirral Council in relation exclusively to any part of the added area shall by virtue of this Act be transferred to and vest in the Corporation.

(3) Any property or liabilities vested in or attaching to the Wirral Council in relation to any part of the added area conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

31. Any resolution passed or other proceeding taken by the Wirral Council under the Town Planning Act 1925 or any enactment thereby repealed (including agreements orders and consents entered into or given under that Act or repealed enactment) shall in so far as they relate to lands within the added area have effect as if they had been passed or taken by the Corporation in respect of those lands.

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As to resolutions &c. of Wirral Council under Town Planning Act 1925.

32.—(1) The local registrars for the county and for the Wirral District under the Land Charges Act 1925 and the rules made thereunder shall within one calendar month after the appointed day supply to the local registrar for the borough an office copy of every entry in the local land charges register relating to any premises situate within the added area and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules.

Provisions in reference to Land Charges Act 1925.

(2) The local registrar for the borough shall within one calendar month after the receipt of the office copies mentioned in subsection (1) of this section enter the same with any necessary modifications in the appropriate part of the local land charges register of the borough.

(3) Until the entries are made as aforesaid or until the expiration of two calendar months from the appointed day whichever be the earlier the following provisions shall have effect in respect of all land in the added area :—

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

(b) Where application is made for an official search the local registrar for the borough shall issue free of charge a certificate of official search in the register of the borough and shall forward to the local registrar for the Wirral District the application received by him together with the fees paid in respect thereof and shall also forward to the local registrar for the county a copy of the application ;

(c) The local registrar for the Wirral District and the local registrar for the county shall

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permit and make such searches and furnish such office copies and certificates as they 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 Act had not been passed;

(d) The fees in respect of searches permitted or made and in respect of certificates furnished by the local registrar for the county in pursuance of the provisions of paragraph (c) of this subsection shall be paid by the Corporation;

(e) Where a local land charge duly registered in the local land charges register of the county council or of the Wirral Council is in pursuance of this Act transferred from the county council or the Wirral Council to the Corporation such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the borough.

As to Wirral
rural district
councillors
and guar-
dians.

33.—(1) The number of councillors of the Wirral District shall be reduced by three.

(2) The rural district councillor and guardian elected for and representing the townships of Bidston-cum-Ford and Noctorum immediately before the appointed day shall continue to represent those townships as altered by this Act and any other Act passed in the present session of Parliament on the Wirral Council and on the board of guardians of the Birkenhead Poor Law Union until the day upon which he would have retired from office if this Act had not been passed.

(3) The rural district councillor and guardian elected for and representing the townships of Woodchurch Arroe and Landican immediately before the appointed day shall continue to represent those townships on the board of guardians of the Wirral Poor Law Union and shall represent the townships of Woodchurch and Arroe on the Wirral Council until the day upon which he would have retired from office if this Act had not been passed.

(4) The person who immediately before the appointed day is the rural district councillor for the township

of Thingwall and two of the three persons who immediately before the appointed day are the rural district councillors for the townships of Prenton and Storeton shall at the appointed day cease to hold that office but all the said persons shall continue to represent on the board of guardians of the Wirral Poor Law Union the townships for which they were elected and at their last meeting before the appointed day the Wirral Council shall by a majority of votes or in case of an equality of votes by the casting vote of the chairman select from the persons then acting as rural district councillors for the said townships of Prenton and Storeton one person to continue to act as rural district councillor for the township of Storeton until the day upon which he would have retired from office if this Act had not been passed.

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34.—(1) The added part of Bidston-cum-Ford shall be amalgamated with the existing township of Birkenhead.

Parochial alterations.

(2) The parish councillors elected for and representing the township of Bidston-cum-Ford at the appointed day shall be deemed to have been elected for and to represent that township as altered by this Act and any other Act passed in the present session of Parliament.

35. The parish councils of Thingwall and Prenton shall cease to exist.

Dissolution of parish councils.

36. The added part of Bidston-cum-Ford shall be added to the Cleveland guardians' ward of the township and the person who immediately before the appointed day is the guardian of the poor for that ward shall at such day be deemed to represent that ward as extended by this Act on the board of guardians of the Birkenhead Poor Law Union and shall retire from office on the day on which he would have retired if this Act had not been passed.

Guardian for Bidston Ward.

37. Subject to the provisions of this Act—

(1) Any powers and duties transferred by or under the Act of 1894 to the parish councils of Thingwall and Prenton and to the parish council of Bidston-cum-Ford so far as regards the added part of Bidston-cum-Ford (except powers and duties under any of the adoptive Acts as defined in that Act) shall be vested

Powers property &c. of parish councils.

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in and imposed on the persons and authorities in or on whom they would be vested or imposed if the townships of Thingwall and Prenton and the added part of Bidston-cum-Ford had been included in a parish in the existing borough on the appointed day within the meaning of the Act of 1894:

- (2) Any property or liabilities held or incurred by the parish councils for the purposes or by virtue of the powers and duties transferred by subsection (1) of this section shall by virtue of this Act be transferred to and vest in or attach to the persons and authorities aforesaid:
- (3) Any property or liabilities held or incurred by the parish councils of Thingwall and Prenton or by the parish council of Bidston-cum-Ford so far as regards the added part of Bidston-cum-Ford for the purposes of any of the adoptive Acts (as defined in the Act of 1894) or otherwise than for the purposes or by virtue of the powers and duties above mentioned shall by virtue of this Act be transferred to and vest in or attach to the Corporation:
- (4) Any property or liabilities held or incurred by the parish councils of Thingwall and Prenton or by the parish council of Bidston-cum-Ford so far as regards the added part of Bidston-cum-Ford in relation to the townships of Thingwall and Prenton and the added part of Bidston-cum-Ford or any part thereof conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

38. Subject to the provisions of this Act—

- (1) Any powers and duties transferred by or under the Act of 1894 to the parish meeting of the existing township of Landican (except powers and duties under any of the adoptive Acts as defined in that Act) shall be vested in and imposed on the persons and authorities in or on whom they would be vested or imposed if that township had been included

Powers
property
&c. of
parish
meeting.

in a parish in the existing borough on the appointed day within the meaning of the Act of 1894 : A.D. 1927.
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- (2) Any property or liabilities held or incurred by the chairman of the parish meeting and overseers of the said township for the purposes or by virtue of the powers and duties transferred by subsection (1) of this section shall by virtue of this Act be transferred to and vest in or attach to the persons and authorities aforesaid :
- (3) Any property or liabilities held or incurred by any authority under any of the adoptive Acts as defined in the Act of 1894 in relation exclusively to the said township for the purposes of any such adoptive Act or otherwise than for the purposes or by virtue of the powers and duties above mentioned shall by virtue of this Act be transferred to and vest in or attach to the Corporation :
- (4) Any property or liabilities held or incurred on behalf of the said parish meeting in relation to the said township or any part thereof conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

39.—(1) In any case where the extension of the existing borough by this Act affects the distribution between the county and the borough or between the county and the borough on the one hand and any other county borough on the other hand of the moneys payable out of the local taxation account or by the Postmaster-General in pursuance of the Act of 1888 of the Local Taxation (Customs and Excise) Act 1890 and of the Roads Act 1920 (as amended by any subsequent Act and as affected by any Order in Council) or any financial relations or questions between the areas aforesaid or any adjustment which has been made in regard to the said distribution or financial relations or questions equitable adjustments may be made between the areas interested. Adjustment
of financial
relations
between
county and
county
boroughs.

(2) Any such adjustment as is authorised by subsection (1) of this section may be made by agreement

A.D. 1927. — between the councils affected or by an arbitrator appointed by those councils and unless such adjustment has been made or an arbitrator has been so appointed before the thirty-first day of December one thousand nine hundred and twenty-eight then on the application of any of the councils interested the Minister may if he think fit make or appoint an arbitrator to make the adjustment.

(3) In any case in which an agreement for equitable adjustments as aforesaid has not been made or so far as any such agreement does not extend the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply with the necessary modifications and the Minister or an arbitrator appointed under subsection (2) of this section as the case may be shall be substituted in those provisions for the Commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Act or the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Minister be deemed to be made by him otherwise than as an arbitrator and any arbitrator appointed under subsection (2) of this section shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

Provided that—

- (a) In lieu of subsection (6) of section 61 of the Act of 1888 subsections (1) and (5) of section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Minister under this section and to the costs of those inquiries; and
- (b) Subsection (6) of section 32 of the Act of 1888 shall apply to any agreement or award made under this section.

Adjustment
for purposes
of Licensing
(Consolida-
tion) Act
1910.

40.—(1) An equitable adjustment shall be made between the county and the borough respecting the interest of the added area in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

(2) Such adjustment shall be made by agreement between the compensation authority (as defined by the Licensing (Consolidation) Act 1910) for the county and for the borough within twelve months from 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.

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(3) For the purpose of 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 and the provisions of that Act shall apply accordingly.

41.—(1) As soon as practicable after the appointed day the county council and the Wirral Council shall as regards any cash balance in their hands at the appointed day estimate the proportion thereof derived from contributions paid by the added area and subject to a deduction on account of undischarged liabilities in respect of the added area accruing up to the appointed day shall transfer such amount to the Corporation.

Apportionment of balances and sums received under precepts.

(2) Any sum received after the appointed day by the county council or the Wirral Council under a precept issued before that day in respect of the added area shall be dealt with in the manner prescribed by subsection (1) of this section.

(3) The apportionment under this section of any balance or sum received under a precept shall be subject to review on an adjustment under this Act.

42.—(1) The Minister may at any time after the passing of this Act by order make such provisions as appear to him to be necessary for transferring to the insurance committee for the borough such of the property rights and liabilities of the insurance committee for the county as relate to persons resident in the added area.

Insurance committees.

(2) An order made under this section may authorise the insurance committee for the county to continue to act as insurance committee for the added area until such date not being later than the thirtieth day of June one thousand nine hundred and twenty-eight as may be specified in the order and may for that purpose postpone the operation of this Act so far as relates to the rights and duties of the respective insurance committees for

A.D. 1927. — the county and the borough 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 shall have effect as if enacted in the National Health Insurance Act 1924 and may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order made under this section the persons who immediately before the appointed day are members of the respective insurance committees for the county and the existing borough shall be deemed to have been appointed or elected as and shall be the members of the respective insurance committees for the county and the borough as altered by this Act.

Wirral Joint
Hospital
Board.

43. The added area shall cease to form part of the district of the Wirral Joint Hospital Board and the representation of the Wirral Council on that board may be altered in such manner (if any) as the Minister may by order determine which order he is hereby empowered to make.

Cheshire
Joint Sana^o
torium
Committee.

44. The borough shall be a constituent area and the Corporation shall be a constituent authority within the meaning and for the purposes of the Cheshire Joint Sanatorium Committee Order 1914 and the Cheshire Joint Sanatorium Committee (Amendment) Order 1920.

Power to
purchase
portion of
undertaking
of West
Cheshire
Water
Board.

45.—(1) The Corporation may purchase and the West Cheshire Water Board may sell the whole or any part of the undertaking of the said board within the added area and the Corporation and the said board may enter into and carry into effect contracts and agreements with reference thereto.

(2) Any portion of the undertaking of the said board so purchased shall for all purposes form part of the water undertaking of the Corporation and the provisions of the Acts relating to that undertaking and the byelaws and regulations made thereunder shall apply to the portion of undertaking so purchased in lieu of the Acts byelaws and regulations relating to the undertaking of the said board.

46.—(1) Subject to any future revision the basis or standard of the county rate for the county shall be altered—

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—
County rate
basis.

(a) by the omission therefrom of the amount appearing in such basis or standard as the annual value of the property in the townships of Prenton Landican and Thingwall; and

(b) by the omission therefrom of the amount appearing therein as the net annual value of the agricultural land and of other hereditaments in the added part of Bidston-cum-Ford.

(2) For the purposes of this section the net annual value of the agricultural land in a part of the township of Bidston-cum-Ford shall be the amount which bears the same relation to the net annual value of agricultural land in the existing township of Bidston-cum-Ford as the total rateable value of the agricultural land in such part bears to the total rateable value of the agricultural land in the said existing township.

(3) For the purpose of ascertaining the net annual value of other hereditaments (not being agricultural land) in a part of the township of Bidston-cum-Ford the preceding subsection of this section shall apply with the substitution for "agricultural land" of "hereditaments other than agricultural land."

(4) In this section "net annual value" means the net annual value according to the basis of the county rate which is being altered in pursuance of this section and "total rateable value" means the total rateable value according to the valuation list of the township of Bidston-cum-Ford last in force before the appointed day.

(5) For the purpose of the preparation of any order for county contributions to be issued by the county council after the appointed day this section shall operate from the passing of this Act.

47.—(1) For any purposes connected with the settlement of the poor in relation to cases affected by this Act every person who at the appointed day has acquired or is in the course of acquiring a settlement in either of the existing townships of Birkenhead or Bidston-cum-Ford by reason of any residence completed or in the course of completion or of any act or thing done or in the course of being done or of any status condition right or privilege

Settlement
of poor.

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acquired or created or in the course of acquisition or creation in the existing township of Birkenhead or in the added part of Bidston-cum-Ford shall be deemed to have acquired or to be in the course of acquiring a settlement in the township and in each case as if the existing township or the specified part of the existing township were and had always been the township.

(2) For the purpose of this section consecutive periods of residence in any portions of the existing township of Bidston-cum-Ford shall be aggregated and reckoned as continuous residence in that part of the existing township of Bidston-cum-Ford in which the person was residing immediately before the appointed day.

Balances in
guardians'
accounts.

48. Any balances standing in the books of the guardians of the poor of the Birkenhead Union to the credit of the existing township of Bidston-cum-Ford at the appointed day and any balances owing by that township at that day shall be a matter of adjustment under section 62 of the Act of 1888.

As to
existing,
poor law
orders.

49. All poor law orders in force in the Birkenhead Poor Law Union immediately before the appointed day and applicable to the existing township of Birkenhead shall extend and apply to the township.

Valuation
lists.

50. Until the new valuation lists come into force—

- (a) the portion of the valuation list of the township of Bidston-cum-Ford which relates to hereditaments in the added part of Bidston-cum-Ford and of the existing township of Birkenhead shall be deemed to form the valuation list of the township;
- (b) the portion of the valuation list of the existing township of Bidston-cum-Ford which relates to hereditaments in the excluded part of Bidston-cum-Ford shall (subject to the provisions of any other Act passed in the present session of Parliament) be deemed to form the valuation list of the township of Bidston-cum-Ford as altered by this Act and any other Act as aforesaid.

Jury
service.

51. For the purpose of summoning jurors and jury service any township affected by this Act shall be deemed

to continue unaltered until the new jurors' book comes into force. A.D. 1927.

52.—(1) All rate books books of account minutes of proceedings deeds papers and writings belonging to the township of Bidston-cum-Ford in relation exclusively to the added part of Bidston-cum-Ford or belonging to any of the other townships within the added area and all documents directed by law to be kept with the public books writings and papers of those townships respectively except any book or document relating to ecclesiastical matters shall be deposited in such custody as the Corporation may direct. Parish books and documents.

(2) Any ratepayer of any of the townships aforesaid shall at all times have the same right of inspection and of making extracts from the books minutes deeds papers or writings referred to in this section which he would have had if this Act had not been passed.

53.—(1) The registration officer of the parliamentary county of Chester shall on publication of the electors' lists for each registration unit comprising any part of the added area supply the registration officer of the parliamentary borough of Birkenhead with a sufficient number of copies of those lists. Duplicate entries in electors' lists.

(2) It shall be the duty of the registration officer of the parliamentary borough of Birkenhead 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 borough for the purpose of borough council elections.

(3) Where the registration officer of the parliamentary borough of Birkenhead 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' lists of any registration unit comprising any part of the added area he shall forthwith notify the registration officer of the parliamentary county of Chester and that officer shall make such correction accordingly.

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(4) This section shall apply to the preparation of the register to come into force on the fifteenth day of October one thousand nine hundred and twenty-eight and of later registers.

Provision as
to register
of electors.

54.—(1) For the purposes of the register of local government electors of the borough to come into force on the fifteenth day of October one thousand nine hundred and twenty-eight and of all matters connected with incidental to or consequent upon those purposes the added area shall be deemed to have formed part of the borough as from the first day of the qualifying period for the register for that year.

(2) If the register of local government electors for any area affected by this Act is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for a ward or other voting area the town clerk in the case of an election for a voting area within the borough and the registration officer of the parliamentary county of Chester in the case of an election or parish meeting for any other voting area shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election.

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

Arrears of
rates made
by rating
authorities.

55. Subject to any adjustment all rates not collected at the appointed day and levied upon any hereditament situate in any township affected by this Act shall be collected and recovered by the rating authority under the Act of 1925 in respect of the rating area in which the hereditaments will be situate by virtue of this Act or by other officers of such rating area last mentioned competent in that behalf.

Liquidation
of current
debts and
liabilities.

56.—(1) The Wirral Council shall liquidate as far as practicable before the appointed day all current debts and liabilities incurred by them in respect of the added area.

(2) If default is made in complying with the provisions of subsection (1) of this section the Corporation

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may after the appointed day levy over the added area as an additional item of the borough rate such an amount in the pound as will be sufficient to meet the precept and defray the liability of that area in respect of the current debts and liabilities of the Wirral Council in respect thereof.

(3) Any such additional item of the borough rate may be made retrospectively to raise money for the payment of charges and expenses incurred by the Wirral Council at any time within one year before the appointed day.

57. For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Act that section shall have effect—

Adaptation
of provisions
as to adjust-
ment.

(a) as if in subsections (5) (6) and (7) thereof the expression "council" included any authority affected by this Act or by anything done in pursuance of this Act; and

(b) as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said subsection (6) that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Minister may sanction.

58. For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Act so far as it relates to the alteration of the area or the abolition of any existing parish that section shall have effect—

Parochial
adjust-
ments.

(a) as if the poor rate or the general rate leviable under the Act of 1925 in pursuance of the said section as applied by this Act were substituted for any fund mentioned in the section; and

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(b) as if for subsections (6) and (7) of the said section there were substituted the subsections hereunder appended (that is to say):—

“(6) If it is necessary for the purpose
“ of giving effect to any agreement or
“ award for an adjustment that any amount
“ shall be charged separately on a part
“ only of a rating area the agreement or
“ award may authorise the levying of that
“ amount on that part of the rating area
“ together with and as an additional item
“ of the poor rate or the general rate as
“ the case may be:

“(7) Any capital sum paid for the purposes
“ of any adjustment or in pursuance of
“ any order or award of an arbitrator shall
“ be applied by such person in such manner
“ and for such purpose as the Minister of
“ Health may authorise or direct.”

Existing
officers &c.
in added
area.

59.—(1) All persons who at the passing of this Act are officers or servants employed whole time by the county council or employed whole time by the Wirral Council exclusively in the added area shall be transferred to and become officers or servants of the Corporation.

(2) Every officer or servant so transferred shall hold his office or employment by the same tenure and upon the same terms and conditions as if this Act had not been passed and while performing similar duties to those which he was required to perform immediately before the appointed day shall receive not less salary wages or remuneration and shall be entitled to not less pension (if any) than the salary wages remuneration or pension to which he would have been entitled if this Act had not been passed.

(3) The Corporation may distribute their business among the transferred officers and servants and other officers and servants of the Corporation in such manner as they may think proper and every such officer and servant shall perform such duties in relation to that business as may be directed by the Corporation and the Corporation may abolish the office of any officer.

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

60.—(1) Every officer in office at the passing of this Act who by virtue of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by determination of his appointment or by diminution or loss of fees or 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 for that loss from the Corporation.

Compensation to existing officers.

(2) Any transferred officer who relinquishes his office under subsection (4) of the section of this Act of which the marginal note is "Existing officers &c. in added area" or any officer whose services are dispensed with or whose salary is reduced within five years after the appointed day because his services are not required or his duties are diminished in consequence of this Act 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 Act.

(3) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Act 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 two-thirds of the annual pecuniary loss suffered by virtue of this Act or of anything done in pursuance or in consequence of this Act or if the compensation is payable otherwise than by way of an annual sum two-thirds of the capital value of such annual pecuniary loss.

(4) Any compensation payable under this Act to any officer shall be paid out of the borough fund and the borough rate and the provisions of section 120

A.D. 1927. of the Act of 1888 shall apply subject to the following and any necessary modifications :—

- (a) Any reference in that section to the Treasury and to the county council shall be construed as a reference to the Minister and to the Corporation respectively and in subsection (7) of that section for the words “the same or any other county council” there shall be substituted the words “any local authority” as defined by the Local Government and “other Officers’ Superannuation Act 1922”;
- (b) References in that section to “the passing of this Act” shall be construed as references to the date on which the abolition or relinquishment of office or determination of appointment takes effect or the direct pecuniary loss commences as the case may be; and
- (c) The expression in subsection (1) of that section “the Acts and rules relating to Her Majesty’s Civil Service” shall mean the Acts and rules relating to Her Majesty’s Civil Service which were in operation at the date of the passing of the Act of 1888.

(5) The compensation payable under this Act to an officer who at the passing of this Act shall hold two or more offices under any local authority or 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 such offices.

(6) In computing the time of service in any capacity of any officer for the purpose of determining the compensation to which he is entitled under this Act the Corporation shall take into account all the service (after he has attained the age of eighteen years) of any such officer in any capacity under any local authority whether such officer has been appointed annually or otherwise.

(7) All fees or remuneration received by an officer in connection with the preparation of the jurors’ book or the register of electors 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. A.D. 1927.

(8) If any officer was temporarily absent from his employment during the 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.

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

(10) The foregoing provisions of this section shall apply to a teacher employed in a public elementary school maintained by the local education authority at the passing of this Act as if he were an officer employed by the authority Provided that in the case of a teacher employed in a public elementary school maintained but not provided by the authority the provisions with respect to an officer whose services are dispensed with shall only apply if such teacher be discharged by the authority or by the direction or with the consent of the authority (otherwise than for misconduct) within five years after the appointed day Provided also that in the application of subsection (7) of section 120 of the Act of 1888 in the case of a teacher to whom a compensation allowance has been granted in pursuance of this subsection service in a public elementary school maintained but not provided

A.D. 1927: by a local authority shall be deemed to be service in an office under that authority.

Compen-
sation and
super-
annuation.

61. No officer shall be entitled to receive compensation under this Act for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

Audit of
accounts of
parish
councils.

62. The accounts of the parish councils of Thingwall and Prenton and of their committees and officers shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this Act had not been passed :

Provided that the audit may be held as soon as practicable after the appointed day and that any sum certified by the district auditor to be due from any person shall be paid to the Corporation and shall if necessary be a matter for adjustment under section 62 of the Act of 1888.

As to rates
levied to
make good
deficiencies
on water
undertaking.

63. So much of any rate as may be levied to make good any deficiency in the revenues of the Corporation on account of their water undertaking shall not be chargeable upon any hereditaments within any part of the added area so long as such part is supplied with water by the West Cheshire Water Board.

Minister
may order
differential
rating.

64.—(1) The Minister may on the application of the local authority of any part of the added area or of a railway company being a ratepayer in the added area (such application to be made in writing before the expiration of a period of two months after the passing of this Act) order that the total amount in the pound of the borough rate to be made and levied upon rateable hereditaments situate in such part of the added area shall be less than the total amount in the pound of the borough rate to be made and levied upon hereditaments within that part of the borough which comprises the existing township of Birkenhead by such sum or sums and for such period as may seem equitable to the Minister after considering any representations that may be made to him by the Corporation.

(2) (a) Before the expiration of a period of fourteen days from the date when the first new valuation list

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made under the Act of 1925 comes into operation the Corporation shall make application in writing to the Minister to consider in relation to any part of the added area which does not form part of the assessment area in which the existing borough is situate whether any and if so what alteration or variation should be made in any order made by him under the provisions of subsection (1) of this section having regard to any alteration in values appearing in the new valuation list in respect of hereditaments included in any valuation list before the appointed day and not being attributable to extensions of or additions to such hereditaments.

(b) Upon receipt of any such application the Minister shall take the matter into consideration and may if he think fit by order alter or vary any such order made by him as aforesaid in so far as any such alteration or variation may be equitable having regard to any such alteration in values appearing in such new valuation list.

(c) The Corporation shall use their best endeavours to afford to the Minister all such information as the Minister may require for the consideration of any matter referred to him under this subsection.

(3) For the purpose of this section the expression "local authority" includes a parish council and where there is no parish council a parish meeting in addition to any other local authority as defined by section 2 (Interpretation) of this Act.

65.—(1) The Corporation shall not after the passing of this Act unless authorised by Act of Parliament or Provisional Order confirmed by Parliament construct any new sewage outfall into the river Mersey so as to discharge sewage (other than surface or storm water) into the said river unless such sewage shall prior to such discharge have been screened so as to remove therefrom all solid matter.

For pro-
tection of
river
Mersey.

(2) Any difference which may arise between the Corporation on the one hand and the Mersey Docks and Harbour Board on the other hand as to the screens to be provided and maintained under this section shall be determined by an engineer to be appointed failing agreement on the application of either party after notice

A.D. 1927. — in writing to the other by the President of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such determination.

Orders of
Minister
&c.

66. Where in the opinion of the Minister the circumstances so require the Minister may make such order as appears to him to be necessary for the purpose of giving effect to the provisions of this Act or for the removal of any difficulty in carrying those provisions into effect. Provided that the Secretary of State in relation to any matter within his jurisdiction shall be substituted in this section for the Minister.

Saving for
qualifica-
tion of
aldermen
&c.

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

Saving for
actions
contracts
&c.

68.—(1) No alteration effected by this Act in the area of any local authority shall cause to abate prejudicially affect or prevent the continuance of any action cause of action or proceeding which at the appointed day is pending or existing by or against any such authority or any contract deed bond agreement or other instrument (subsisting at the appointed day) entered into or made by any such authority or their predecessors :

Provided that—

(a) any action cause of action or proceeding which at the appointed day is pending or existing by or against any such authority in relation exclusively to any part of the added area may be continued prosecuted and enforced by or against the Corporation;

(b) all contracts deeds bonds agreements and other instruments (subsisting at the appointed day) entered into or made by any such authority or their predecessors in relation exclusively to any part of the added area may be continued and enforced as fully and effectually as if instead of such authority or their predecessors the Corporation had been a party thereto.

(2) All legal proceedings pending at the appointed day may be amended in such manner as may be necessary or proper in consequence of this Act. A.D. 1927.
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69. Notwithstanding the alteration in the areas effected by this Act all contribution orders issued and precepts made before the appointed day shall be as valid in law as if this Act had not been passed. Saving for contribution orders and precepts.

70. Nothing in this Act shall be construed as restricting the powers of the Minister under the Acts relating to the relief of the poor or the powers of the Secretary of State the Minister the county council or the Corporation under the Act of 1888 or the Act of 1894. Saving for powers of Minister &c.

71. Nothing in this Act shall alter the area of any parliamentary borough or parliamentary county or any division thereof or affect the powers of a county council under section 31 of the Representation of the People Act 1918 or any order or scheme for the division of a constituency into polling districts for parliamentary elections and the appointment of polling places for parliamentary elections. Saving for parliamentary divisions.

72. Nothing in this Act shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment. Saving for ecclesiastical divisions and charities.

73. Nothing in this Act shall affect land tax and for the purposes of income tax the provisions of the sections of this Act the marginal notes whereof are "Extension of borough" and "Parochial alterations" shall not come into operation during any year in which under any enactment the annual value of any property adopted for the purpose of income tax under Schedules A and B for the preceding year is taken as the annual value of that property for the same purpose for that year. Saving as to land tax and income tax.

74. Nothing in this Act shall be deemed to affect the rights powers or privileges of the Wallasey Embankment Commissioners under the Wallasey Embankment Acts 1829 to 1923 nor to exempt any person from or to render any person liable to the payment of rates which can Saving for Wallasey Embankment Commissioners.

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Act, 1927.

A.D. 1927. — now be levied for the purposes of the said Acts on any lands situated within the added area.

Power to borrow and repayment of borrowed moneys.

75.—(1) The Corporation may in addition to any moneys which they are now authorised to borrow or which they may be authorised to borrow under the provisions of any public general Act borrow at interest for the purposes set forth in the first column of the following table the sums requisite for such purposes respectively and all moneys so borrowed shall be chargeable on the revenues of the Corporation and shall be repaid within the respective periods set forth in the second column thereof and the Corporation may apply any sum so borrowed for the said purposes respectively (that is to say) :—

Purpose.	Period for Repayment.
(1) For paying the costs charges and expenses of this Act as hereinafter defined.	Five years from the passing of this Act.
(2) For paying any capital sum to the county council or to any other authority under or in pursuance of this Act.	Forty-five years from the date or dates of borrowing.
(3) For paying any capital sum under the provisions of the section of this Act of which the marginal note is "Compensation to existing officers."	Twenty years from the date or dates of borrowing.

(2) The Corporation may also with the sanction of the Minister borrow such further moneys as may be necessary for any of the purposes of this Act and any moneys borrowed under the powers of this subsection shall be chargeable upon the revenues of the Corporation and the borough fund and borough rate and be repaid within such periods not exceeding sixty years as the Minister may prescribe.

(3) The provisions of this section shall not limit the powers conferred upon the Corporation by section 129 (Power to use one form of mortgage for all purposes) of the Birkenhead Corporation Act 1923.

76. The following provisions of the Acts in this section mentioned shall so far as applicable extend and apply to and in respect of moneys borrowed by the Corporation under this Act as if they were re-enacted herein (that is to say) :—

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—
Incorporation of certain financial provisions.

The Birkenhead Corporation Act 1881—

Section 287 (Protection of lenders from inquiry).

The Birkenhead Corporation Act 1897—

Section 48 (Repayment of moneys hereafter borrowed under existing powers);

Section 49 (General provisions as to sinking funds).

The Birkenhead Corporation Act 1914—

Section 12 (Mode of raising money);

Section 15 (Power to borrow under Local Loans Act 1875);

Section 16 (Power to re-borrow);

Section 17 (Application of money borrowed);
and

Section 18 (Audit of accounts) :

Provided that the periods for repayment referred to in the section of this Act whereof the marginal note is "Power to borrow and repayment of borrowed moneys" shall respectively be deemed to be "the prescribed period" for the purposes of such application of the said sections :

Provided also that the said sections shall be read and have effect as if the Minister were referred to therein in lieu of the Local Government Board.

77. All expenses incurred by the Corporation in carrying into execution the provisions of this Act with respect to which no other provision is made shall be defrayed out of the borough fund and borough rate.

Expenses of execution of Act.

78.—(1) The following enactments are hereby repealed (namely) :—

Repeal &c.

The Birkenhead Corporation Act 1881—

Section 153 (Statues and drinking fountains).

The Birkenhead Corporation Act 1891—

Section 47 (Trees or shrubs overhanging streets).

The SCHEDULE referred to in the
foregoing Act.

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PART I.

LOCAL ACTS.

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44 & 45 Vict. c. clii.	- The Birkenhead Corporation (Gas and Water) Act 1881.
44 & 45 Vict. c. cliii.	- The Birkenhead Corporation Act 1881.
45 Vict. c. xiv.	- The Birkenhead Borough (Quarter Sessions) Act 1882.
47 & 48 Vict. c. lvi.	- The Birkenhead Improvement Act 1884.
53 Vict. c. xviii.	- The Birkenhead Corporation (Gas and Water) Act 1890.
54 & 55 Vict. c. lxxxvii.	- The Birkenhead Corporation Act 1891.
60 & 61 Vict. c. xcix.	- The Birkenhead Corporation Act 1897.
60 & 61 Vict. c. c.	- The Birkenhead Corporation (Ferries) Act 1897.
62 & 63 Vict. c. liii.	- The Birkenhead Corporation Act 1899.
2 Edw. 7. c. lxii.	- The Birkenhead Corporation Act 1902.
7 Edw. 7. c. cxxxii.	- The Birkenhead Corporation Water Act 1907.
4 & 5 Geo. 5. c. lxxxvi	- The Birkenhead Corporation Act 1914.
13 & 14 Geo. 5. c. lxxi.	- The Birkenhead Corporation Act 1923.
14 Geo. 5. c. vi.	- The Birkenhead Corporation (Ferries) Act 1924.
15 & 16 Geo. 5. c. cx.	- The Mersey Tunnel Act 1925.
16 & 17 Geo. 5. c. viii.	- The Birkenhead Corporation Act 1926.

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PART II.

CONFIRMATION ACTS AND PROVISIONAL AND
OTHER ORDERS.

Session and Chapter.	Confirmation Act.	Order.
53 & 54 Vict. c. exci.	The Electric Lighting Orders Confirmation (No. 6) Act 1890.	The Birkenhead Electric Lighting Order 1890.
59 & 60 Vict. c. ccxxxviii.	The Local Government Board's Provisional Orders Confirmation (Housing of Working Classes) Act 1896.	The Birkenhead (Housing of Working Classes) Order 1896.
63 & 64 Vict. c. xlvi.	The Electric Lighting Orders Confirmation (No. 3) Act 1900.	The Birkenhead Corporation Electric Lighting (Extension) Order 1900.
1 Edw. 7. c. cliii.	The Local Government Board's Provisional Orders Confirmation (Housing of Working Classes) Act 1901.	The Birkenhead (Housing of Working Classes) Order 1901.
2 Edw. 7. c. lxxxix.	The Local Government Board's Provisional Orders Confirmation (Housing of Working Classes) Act 1902.	The Birkenhead (Housing of Working Classes) Order 1902.
4 Edw. 7. c. clxxvi.	The Electric Lighting Orders Confirmation (No. 3) Act 1904.	The Birkenhead Corporation Electric Lighting (Extension) Order 1904.
5 Edw. 7. c. lxxi.	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1905.	The Birkenhead Order 1905.
7 Edw. 7. c. clii.	The Local Government Board's Provisional Orders Confirmation (No. 2) Act 1907.	The Birkenhead Order 1907.
9 Edw. 7. c. cxxiii.	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1909.	The Birkenhead Order 1909.
5 & 6 Geo. 5. c. iii.	The Local Government Board's Provisional Orders Confirmation (No. 1) Act 1915.	The Birkenhead Order 1915.
7 & 8 Geo. 5.	- - - - -	The Birkenhead Corporation Gas (Standard of Calorific Power) Order 1917.
8 & 9 Geo. 5. c. xliv.	The Local Government Board's Provisional Orders Confirmation (No. 2) Act 1918.	The Birkenhead Order 1918.

[17 & 18 GEO. 5.] *Birkenhead Extension*
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Session and Chapter.	Confirmation Act.	Order.
9 & 10 Geo. 5. c. lxxv.	The Local Government Board's Provisional Orders Confirmation (No. 1) Act 1919.	The Birkenhead Order 1919.
10 & 11 Geo. 5. c. xlv.	The Ministry of Health Provisional Orders Confirmation (No. 1) Act 1920.	The Birkenhead Order 1920.
10 & 11 Geo. 5. c. cxiv.	The Ministry of Health Provisional Orders Confirmation (No. 7) Act 1920.	The Birkenhead (Ferries) Order 1920.
12 & 13 Geo. 5. c. xxxix.	The Ministry of Health Provisional Orders Confirmation (No. 2) Act 1922.	The Birkenhead Order 1922.
15 & 16 Geo. 5.	- - - - -	The Birkenhead Electricity (Extension) Special Order 1925.
16 & 17 Geo. 5.	- - - - -	The Birkenhead Corporation Gas Order 1926.

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