

[17 & 18 GEO. 5.] *Ministry of Health* [Ch. xlviii.]
*Provisional Order Confirmation (Wokingham
Extension) Act, 1927.*



CHAPTER xlviii.

An Act to confirm a Provisional Order of the Minister of Health relating to Wokingham. A.D. 1927.
[29th July 1927.]

WHEREAS the Minister of Health has made the Provisional Order set forth in the schedule hereto under the provisions of the Local Government Act 1888: 51 & 52 Vict. c. 41.

And whereas it is requisite that the said Order should be confirmed by 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 Order set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Wokingham Extension) Act 1927. Short title.

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SCHEDULE.

BOROUGH OF WOKINGHAM.

*Wokingham
Order.*

*Provisional Order made in pursuance of the Local
Government Act 1888 for the extension of a Borough.*

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

And whereas the existing Borough of Wokingham in the Administrative County of Berks is a borough within the meaning of the Local Government Act 1888 and the inhabitants are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Wokingham and act by the Council of the Borough which now consists of the mayor (who is also a councillor) four aldermen and eleven other councillors;

And whereas the Borough is co-extensive with the Parish of Wokingham Within and is an Urban District under the jurisdiction of the Mayor Aldermen and Burgesses acting by the Council;

And whereas the Parish of Wokingham Without in the County of Berks surrounds the said Borough and is a contributory place in the Rural District of Wokingham and is subject to the jurisdiction of the Rural District Council of Wokingham and the Parish Council of Wokingham Without:

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

PART I.

INTERPRETATION AND COMMENCEMENT.

Definitions.

1. In this Order unless the context otherwise requires—
“The Act of 1888” and “the Act of 1894” mean respectively the Local Government Act 1888 and the Local Government Act 1894;
“The added area” means that part of the existing Parish of Wokingham Without and of the Rural District of Wokingham which is coloured yellow on the maps and is added to the existing Borough of Wokingham by this Order;

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- “The appointed day” means the First day of October
Nineteen hundred and twenty-seven; A.D. 1927.
- “The Borough” means the existing Borough of Woking-
ham as extended by this Order; *Wokingham
Order.*
- “The Corporation” means as the context requires the
Mayor Aldermen and Burgesses of the existing
Borough or of the Borough acting by the Council;
- “The County” and “the County Council” mean respec-
tively the Administrative County of Berks and the
County Council of that County;
- “The maps” means the duplicate maps marked “Map
“of the Borough of Wokingham as extended by the
“Wokingham (Extension) Order 1927” and sealed
with the official seal of the Minister;
- “The Minister” means the Minister of Health;
- “The Municipal Corporations Acts” means the Municipal
Corporations Act 1882 and the Acts amending and
extending the same;
- “The Parish Council” means the Parish Council of
Wokingham Without;
- “The Parish of Wokingham Within” and “the Parish of
Wokingham Without” mean respectively each of
those parishes as altered by this Order;
- “The Rural District” and “the Rural Council” mean
respectively the Rural District of Wokingham and
the Rural District Council of Wokingham;
- “Existing” in relation to any area altered by this Order
means existing immediately before the appointed
day;
- “Local Authority” means a local authority as defined in
Section 3 of the Local Government and other Officers’
Superannuation Act 1922 and includes the standing
joint committee of a county;
- “Officer” includes a servant and any person whose
remuneration is paid by a local authority.

2. Save as otherwise expressly provided this Order shall
come into operation on the First day of October Nineteen hundred
and twenty-seven : *Commence-
ment of
Order.*

Provided that for the purposes of—

- (a) The compilation alteration or re-arrangement of any
register of electors made under the Representation of
the People Acts 1918 to 1926; and

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(b) The revision of the basis of the county rate of the County or the preparation of any precept or contribution order to be made on or after the appointed day; and

(c) The selection by the Rural Council of a rural district councillor to serve as a guardian for the Parish of Wokingham Within;

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

PART II.

ALTERATIONS OF BOUNDARY.

Extension of
existing
Borough.

3.—(1) The boundary of the existing Borough the area whereof is coloured pink on the maps shall be altered so as to include in addition to that area so much of the Rural District as comprises the added area.

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

Alteration of
existing
Parishes.

4. The added area shall be separated from the existing Parish of Wokingham Without and shall be added to the existing Parish of Wokingham Within.

Deposit and
copies of
maps.

5.—(1) One of the maps shall be deposited in the office of the Minister and the duplicate map shall be deposited by the town clerk of the existing Borough at his office.

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

Copies of
map to be
evidence.

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

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

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town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

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

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 Order.

PART III.

PROVISIONS CONSEQUENT ON EXTENSION OF BOROUGH.

7.—(1) The number of councillors of the Borough shall be increased from twelve to eighteen and the number of aldermen of the Borough shall be increased from four to six.

Number and
 election of
 councillors
 and alder-
 men.

(2) The six additional councillors assigned to the Borough by this article shall be elected at the ordinary election of borough councillors in the year Nineteen hundred and twenty-seven.

(3) The two additional aldermen assigned to the Borough by this article shall be elected at the meeting of the Council of the Borough held on the Ninth day of November Nineteen hundred and twenty-seven.

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

Existing
 mayor alder-
 men and
 councillors.

9.—(1) Upon the First day of November Nineteen hundred and twenty-seven there shall be held an election of—

Election of
 councillors
 in 1927.

- (a) four councillors of the Borough to fill the vacancies caused by the ordinary retirement of councillors in the year Nineteen hundred and twenty-seven;
- (b) six additional councillors of the Borough.

(2) The election directed by this article shall extend to any casual vacancy which can be filled at the election but any person elected to fill a casual vacancy shall retire from office on the day on which the person in whose place he is elected would have retired from office if this Order had not been made.

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.

County and
 Borough
 Councils
 (Qualification)
 Act 1914.

11.—(1) The councillors elected in the year Nineteen hundred and twenty-seven in pursuance of this Order shall retire as follows—

Retirement
 of councillors
 and alder-
 men elected
 in 1927.

- (a) The two councillors who are elected by the smallest number of votes on the First day of November Nineteen hundred and twenty-eight:

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- (b) The six councillors who are elected by the largest number of votes on the First day of November Nineteen hundred and thirty :
- (c) The other two councillors on the First day of November Nineteen hundred and twenty-nine :

Provided that if a casual vacancy is filled at the election the number of councillors specified in the foregoing paragraph (a) or (c) as the case may be shall be increased by one according to whether the person in whose office the vacancy arose would have retired in the year Nineteen hundred and twenty-eight or in the year Nineteen hundred and twenty-nine.

(2) The aldermen elected in the year Nineteen hundred and twenty-seven in pursuance of this Order shall retire as follows—

(a) The alderman elected by the smaller number of votes on the Ninth day of November Nineteen hundred and twenty-eight :

(b) The other alderman on the Ninth day of November Nineteen hundred and thirty-one.

(3) If for any reason it is doubtful which of the councillors or aldermen as the case may be ought to retire on a date mentioned in this article the question shall be determined by lot conducted under the direction of the presiding chairman at the meeting of the Council of the Borough on the Ninth day of November Nineteen hundred and twenty-seven or at the next following quarterly meeting.

County
electoral
divisions.

12.—(1) For the purpose of the election of county councillors the added area shall be separated from the Wokingham Rural Electoral Division and shall be added to and form part of the Borough of Wokingham Electoral Division.

(2) Any person who immediately before the appointed day is in office as a county councillor representing the existing Wokingham Rural Electoral Division or the Borough of Wokingham Electoral Division shall be deemed to have been elected to represent that Electoral Division as altered by this Order and shall retire from office on the day on which he would have retired if this Order had not been made.

Officers of
Corporation
and borough
auditors
continued.

13.—(1) The town clerk and all other officers of the Corporation of the existing Borough who hold office immediately before the appointed day shall continue to be the town clerk and officers of the Corporation of the Borough and shall hold their offices by the same tenure as before that day.

(2) The auditors of the existing Borough who are in office immediately before the appointed day shall continue in office until the next ordinary day of election of borough auditors.

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

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 —
*Wokingham
 Order.*
 Corporation
 property
 liabilities &c.

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

Mortgage
 debts of
 Corporation.

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

16. Subject to the provisions of this Order—

- (1) The Rural Council shall cease to exercise any powers or discharge any duties within the added area;
- (2) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation exclusively to the added area or any part thereof shall by virtue of this Order be transferred to and vest in the Corporation as the Urban Authority for the execution of the Public Health Acts 1875 to 1925;
- (3) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation to the added area or any part thereof conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

Cesser of
 jurisdiction
 of Rural
 Council and
 property &c.

17.—(1) Upon the appointed day the estate or interest of the Rural Council in such of the houses provided by that Council under the Rural Housing Schemes as are situate within the added area shall by virtue of this Order be transferred to and vest in the Corporation as the authority for the execution of the Housing Act 1925.

Housing
 Schemes of
 Rural
 Council.

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(2) The rights liabilities obligations and property attaching to or vested in the Rural Council in relation to the Rural Housing Schemes shall be a matter for adjustment under section 62 of the Act of 1888.

(3) In this article "the Rural Housing Schemes" means the housing schemes of the Rural Council formulated for the Rural District under the Housing Town Planning &c. Act 1919 the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 and the Housing Act 1925.

*Wokingham
Gas Orders
1894 to 1914.*

18.—(1) Subject to the provisions of this article the provisions of the Confirmation Acts specified in the Schedule to this Order so far as those Acts respectively relate to the Provisional Orders specified in that Schedule as the same respectively are in force within the existing Borough immediately before 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 thereof :

Provided that the Corporation shall not supply gas under the powers of the Wokingham Gas Orders 1894 to 1914 within any portion of the added area until they by agreement with the York Town and Blackwater Gas Company (in this article called "the Company") shall have purchased under section 162 of the Public Health Act 1875 with the sanction of the Board of Trade that part of the gas undertaking of the Company which is within the added area other than the mains pipes and apparatus of the Company required for giving a supply to other parts of the Company's limits of supply.

(2) The consideration for the purchase of the said part of the gas undertaking of the Company if not agreed between the Corporation and the Company shall be determined by arbitration under the provisions of the Lands Clauses Acts and the arbitrators or umpire in awarding the sum to be paid to the Company as consideration for the purchase shall include in the award such amount as they or he shall think fit as compensation for the severance of the part of the gas undertaking so purchased from the remainder of the gas undertaking.

(3) Subject to the sanction of the Minister the Corporation may borrow such money as may be necessary to enable them to defray the costs of and incidental to the purchase of the part of the gas undertaking of the Company authorised by this article and the provisions of the Wokingham Gas Orders 1894 to 1914 with respect to the borrowing of money shall extend to any money to be borrowed by the Corporation under this article.

(4) On the completion of the purchase by the Corporation of the part of the gas undertaking of the Company within the

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added area under the provisions of this article the added area shall cease to form part of the limits of the Company for the supply of gas and the York Town and Blackwater Gas Acts and Orders 1904 to 1922 shall be read and have effect accordingly.

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 Order.*

19.—(1) In article 9 of the Special Order of 1925 (which relates to the purchase by the Corporation of a portion of the electricity undertaking of the York Town and Blackwater Gas Company) the reference to the Borough of Wokingham shall be read as a reference to that Borough as extended by this Order and in section 25 of the York Town and Blackwater Gas (Electric Lighting &c.) Act 1909 any reference to the district or to the area of the Rural District Council of Wokingham shall be read as a reference to the Rural District as diminished by this Order.

York Town
 and Black-
 water Elec-
 tricity Act
 and Order
 1909 and
 1925.

(2) For the purposes of article 7 of the Special Order of 1925 (which prescribes the maximum prices to be charged within the Borough of Wokingham for electricity) the added area within the meaning of that article shall be the Borough as defined in this Order and the Rural District of Wokingham within the meaning of that article shall be that Rural District as diminished by this Order.

(3) In this article "the Special Order of 1925" means the York Town and Blackwater Electricity (Wokingham Extension) Special Order 1925.

20.—(1) Save as otherwise provided in this article—

- (a) any Local Act or Provisional Order duly confirmed and affecting the existing Borough or the Corporation (including any such Local Act or Provisional Order passed or confirmed during the present session of Parliament);
- (b) any order affecting the existing Borough or the Corporation which has effect as if enacted by Parliament;

Local Acts
 and Orders
 affecting
 existing
 Borough.

as the same respectively are in force within the existing Borough immediately before 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 thereof.

(2) This article shall not extend to the Wokingham Gas Orders 1894 to 1914 or to the York Town and Blackwater Electricity Act and Order 1909 and 1925.

21.—(1) The provisions of—

- (a) The Infectious Disease (Prevention) Act 1890;
- (b) Parts II. and III. of the Public Health Acts Amendment Act 1890;

Adoptive
 Acts.

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- (c) The Private Street Works Act 1892; and
(d) Parts II. to V. of the Public Health Act 1925;

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

(2) The provisions of any Act adopted by the Rural Council (or their predecessors) shall subject to the provisions of this article cease to be in force within and apply to any part of the added area.

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

Orders under
Public
Health Acts
Amendment
Act 1907 or
Public
Health Act
1925.

22. Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards orders under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925—

- (1) The provisions of any order made before the appointed day and declaring to be in force throughout the existing Borough any Parts or Sections of either of those Acts shall have effect as if any reference in that order to the existing Borough extended and applied to the Borough and as if the said Parts or Sections were accordingly declared to be in force within the Borough;
- (2) Any other order under either of those Acts which is in force immediately before the appointed day throughout the existing Borough shall extend and apply to the added area;
- (3) The provisions of any order made before the appointed day and declaring to be in force within the added area any Parts or Sections of either of those Acts shall cease to apply to the added area and the Parts or Sections declared by any such order to be in force shall save as hereinbefore provided cease to be in force within the added area.

Order under
s. 33 of
Act of 1894.

23.—(1) The order under section 33 of the Act of 1894 made by the Local Government Board on the Fourth day of May Eighteen hundred and ninety-seven shall have effect as if any reference therein to the existing Borough extended and applied to the Borough and save as hereinafter provided as if any reference therein to the existing Parish of Wokingham Within extended and applied to the Parish of Wokingham Within.

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(2) Nothing in this article shall be deemed to substitute a reference to the Parish of Wokingham Within in Articles III. and IV. (relating to Charities) of the order mentioned in paragraph (1) of this article for a reference to the Parish of Wokingham Within as it existed at the date of that order.

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 —
*Wokingham
 Order.*

24. Any order made 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 Order shall subject to the provisions of such Acts remain in force and apply to the area to which it applied before that day.

Orders under
 Shop Hours
 Act 1904 or
 Shops Acts
 1912 to 1920.

25. All the powers rights duties capacities liabilities and obligations of an urban authority and all the powers in relation to the chargeability of expenses with which the Rural Council are invested in pursuance of any order issued by the Local Government Board or the Minister under the Public Health Acts 1875 to 1925 in respect of the existing Parish of Wokingham Without shall be deemed to vest in and attach to the Rural Council in respect of the Parish of Wokingham Without.

Urban
 powers &c.
 in excluded
 part of
 Wokingham
 Without.

26.—(1) Any byelaws made by the Corporation for good rule and government and in force immediately before the appointed day within the existing Borough shall extend and apply to the Borough until repealed or altered by further byelaws.

Byelaws
 regulations
 scales of
 charges &c.

(2) Subject to the foregoing provision all byelaws and every scale of charges made either by the Corporation or by the Rural Council 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 they are repealed or altered by byelaws or a scale of charges made by the Corporation.

(3) In their application to the added area any byelaws or scale of charges made by the Rural Council shall have effect as if they had been made by the Corporation and as if the added area were referred to therein.

(4) All byelaws made by the County Council or by the Standing Joint Committee of the County and in force immediately before the appointed day within the added area shall in so far as byelaws to the like effect could be made by the Corporation cease to be in force within that area.

(5) Any proceedings which if this Order had not been made might have been taken by the Rural Council or the County Council for any offence committed before the appointed day—

(a) within the added area against any byelaws of the Rural Council; or

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(b) within the Borough against any byelaws of the County Council which by virtue of this article cease to apply to the Borough;

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

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

Education
charges.

27. Without prejudice to the power of the County Council to cancel or vary any charge or allocation made under subsection (1) of section 18 of the Education Act 1902 or under subsection (1) of section 122 of the Education Act 1921 any expenses charged under either of those subsections before the appointed day on the existing Parish of Wokingham Within shall be charged on the Parish of Wokingham Within and any expenses charged under either of the said subsections before that day on the existing Parish of Wokingham Without shall be charged on the Parish of Wokingham Without.

Powers &c.
of Parish
Council.

28.—(1) The Parish Council of the existing Parish of Wokingham Without shall be deemed to have been elected as and shall be the Parish Council of that Parish as altered by this Order.

(2) Subject to the provisions of this Order any powers and duties transferred by or under the Act of 1894 to the Parish Council shall so far as regards the added area be vested in and imposed on the Corporation.

(3) Any property or liabilities held or incurred by the Parish Council in relation exclusively to the added area or any part thereof for the purposes or by virtue of the powers and duties transferred by paragraph (2) of this article shall by virtue of this Order be transferred to and vest in or attach to the Corporation.

(4) Any property or liabilities held or incurred by the Parish Council in relation to the added area or any part thereof conjointly with any other area shall if necessary be a matter for adjustment under section 62 of the Act of 1888.

PART IV.

SUPPLEMENTARY PROVISIONS.

A.D. 1927.

*Wokingham
Order.*

Guardians
and rural
district
councillors.

29.—(1) The number of guardians of the Wokingham Union who represent the Parish of Wokingham Within shall be increased from two to three.

(2) The number of rural district councillors who represent the Parish of Wokingham Without shall be reduced from two to one.

(3) Any person who immediately before the appointed day represents the existing Parish of Wokingham Within as a guardian shall continue to represent that Parish as altered by this Order.

(4) The Rural Council at a meeting held after the confirmation of this Order and before the appointed day shall by a majority of votes or in case of an equality of votes by the casting vote of the presiding chairman select from the two persons then acting as rural district councillors for the existing Parish of Wokingham Without one person who on the appointed day shall become a guardian for the Parish of Wokingham Within and the remaining rural district councillor shall represent the Parish of Wokingham Without.

(5) If on the day of the meeting of the Rural Council mentioned in the preceding paragraph of this article a casual vacancy exists in the office of rural district councillor for the existing Parish of Wokingham Without the remaining rural district councillor for that existing Parish shall on the appointed day become the rural district councillor for the Parish of Wokingham Without the casual vacancy shall not be filled and an election of one guardian for the Parish of Wokingham Within shall after the appointed day be held.

(6) Any rural district councillor or guardian mentioned in this article shall retire from office on the Fifteenth day of April Nineteen hundred and twenty-eight.

30.—(1) In the preparation of the register of electors in the year Nineteen hundred and twenty-seven so far as it relates to any area affected by this Order it shall be competent to the Registration Officer of the Parliamentary County of Berks to frame the register in separate parts for each area which will constitute a registration unit after this Order has come into operation instead of in separate parts for each area constituting a registration unit before the operation of this Order.

Provisions
as to register
of electors.

(2) If the register of local government electors for any electoral area affected by this Order is not so framed as to show the persons entitled to vote at an election or parish meeting to be

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A.D. 1927. held for an electoral division parish or ward or other voting area
— the Registration Officer shall make such alteration or re-arrange-
Wokingham ment of the register as may be necessary for the purposes of such
Order. election or parish meeting.

(3) It shall be the duty of the Town Clerk of the Borough and of any officer designated under article 3 of the Overseers Order 1927 by the Corporation or by the Rural Council for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by the Registration Officer of the Parliamentary County for the purpose of any alteration or re-arrangement authorised by paragraph (2) of this Article.

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

Deduction
in ascertain-
ing rateable
value of
tithes rail-
ways canals
&c.

31. For the purposes of the first new valuation list to be prepared under the Rating and Valuation Act 1925 and of any subsequent valuation list to be prepared under that Act the amount of the deduction to be made from net annual value in the ascertainment of the rateable value of such rateable hereditaments within the added area as are included in Class (3) of the hereditaments specified in Column (1) of Part II. of the Second Schedule to that Act shall be 32 per cent.

Valuation
lists.

32. Until new valuation lists come into force—

(1) The valuation list of the existing Parish of Wokingham Within and the portion of the valuation list of the existing Parish of Wokingham Without which relates to hereditaments in the added area shall together form the valuation list of the Parish of Wokingham Within;

(2) The remaining portion of the valuation list of the existing Parish of Wokingham Without shall be the valuation list of the Parish of Wokingham Without.

County rate
basis.

33.—(1) Subject to any future revision the basis of the county rate of the County shall be altered as follows—

(a) From the amounts respectively appearing therein as the net annual values of the agricultural land and of other hereditaments in the existing Parish of Wokingham Without there shall be deducted such sums in each case as will represent the net annual values of the agricultural land and of other hereditaments in the added area;

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(b) The net annual values of the agricultural land and of other hereditaments in the added area shall be added to the amounts appearing in the basis as the net annual values of the agricultural land and of other hereditaments in the existing Parish of Wokingham Within;

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(c) The amounts appearing in the basis as the net annual value and the assessable value of the property in the existing Parish of Wokingham Within and in the existing Parish of Wokingham Without shall be altered so as to correspond with the alterations made as above directed in the net annual values of the agricultural land and of other hereditaments in those existing parishes.

(2) For the purposes of this article the net annual value of the agricultural land in the added area shall be the amount which bears the same relation to the net annual value of agricultural land in the existing Parish of Wokingham Without as the total rateable value of the agricultural land in the added area bears to the total rateable value of the agricultural land in the existing Parish of Wokingham Without.

(3) For the purpose of ascertaining the net annual value of other hereditaments (not being agricultural land) in the added area the preceding paragraph of this article shall apply with the substitution for "agricultural land" of "hereditaments other than agricultural land."

(4) In this article "net annual value" and "assessable value" mean the net annual value and assessable value according to the basis of the county rate which is being altered in pursuance of this article and "total rateable value" means the total rateable value according to the valuation list of the existing parish last in force before the basis is so altered.

34.—(1) Every person who at any time before the appointed day has acquired or who immediately before that day is in the course of acquiring a settlement in the existing Parish of Wokingham Within or in the existing Parish of Wokingham Without by reason of residence birth or other qualification in—

Settlement
of the poor.

- (i) the existing Parish of Wokingham Within; or
- (ii) the added area; or
- (iii) the excluded part of Wokingham Without;

shall be deemed to have acquired or to be in the course of acquiring thereby—

- (a) in the first and second cases a settlement in the Parish of Wokingham Within as if the existing Parish of Wokingham Within and the added area had always been the Parish of Wokingham Within; and

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(b) in the third case a settlement in the Parish of Wokingham Without as if the excluded part of Wokingham Without had always been the Parish of Wokingham Without.

(2) For the purposes of this article consecutive periods of residence in the added area and in the excluded part of Wokingham Without shall be aggregated and reckoned as continuous residence in that part of the existing Parish of Wokingham Without in which the person was residing immediately before the appointed day.

(3) In this article "the excluded part of Wokingham Without" means that part of the existing Parish of Wokingham Without which is not by this Order added to the existing Borough.

Local land
charges
registers.

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

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

(3) Until the expiration of one month after the appointed day the following provisions shall have effect in respect of all land within the added 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 Rural District;

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

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

(d) Where a local land charge duly registered in the local land charges register of the Rural District is in pursuance

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of this Order transferred from the register of the Rural District to the register of the Borough such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the Borough.

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36. 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 Order that section shall have effect—

Adaptation
 of provisions
 as to adjust-
 ments.

- (a) As if in subsections (5) (6) and (7) of that section the expression "council" included any authority affected by this Order or by anything done in pursuance of this Order; 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 subsection (6) of the section 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; and
- (c) As if the fund or rate specified in any agreement or award of adjustment were substituted for any fund mentioned in the section; and
- (d) As if the following subsection were added to the section:—

"(8) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be levied in part only of a parish the agreement or award may authorise such sum to be levied in that part as an additional item of the poor rate or general rate as the case may be."

37. Any balance standing on the appointed day in the books of the Guardians of the Wokingham Union or of the Rural Council to the credit or debit of the existing Parish of Wokingham Without shall be a matter for adjustment under section 62 of the Act of 1888.

Balances in
 accounts of
 Guardians
 and Rural
 Council.

38.—(1) Every officer in office on the date of the Act of Parliament confirming this Order who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by

Compensa-
 tion to
 existing
 officers.

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Order.* diminution or loss of fees or salary (and for whose compensation 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.

(2) 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 Order and not on the ground of misconduct shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this Order.

Determina-
tion of com-
pensation.

39.—(1) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Order regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 of the Act of 1888 and the compensation shall not exceed two-thirds of the annual pecuniary loss suffered by virtue of this Order or of anything done in pursuance or in consequence of this Order.

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

(a) Any reference in that section to the county council shall be construed as a reference to the Corporation and in subsection (7) of that section for the words “the same or any other county council” there shall be substituted the words “the council of any county or county borough or under any district council”;

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

(c) The expression in subsection (1) of that section “the Acts and rules relating to Her Majesty’s Civil Service” shall mean the Acts and rules relating to Her Majesty’s Civil Service which were in operation at the date of the passing of the Act of 1888.

(3) The compensation payable under this Order to an officer who on the date of the Act of Parliament confirming this Order 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.

(4) If any officer was temporarily absent from his employment during the war whilst serving in His Majesty’s Forces or

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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 :

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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.

(5) 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 Order.

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

Compensation and superannuation.

41.—(1) Notwithstanding the alterations of area effected by this Order all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Order had not been made.

Contribution orders precepts and arrears of rates.

(2) All rates not collected immediately before the appointed day in respect of hereditaments within the added area shall be collected and recovered by the Rural Council as the Rating Authority or by the proper officer of that Council.

(3) Any rates so collected and recovered shall be a matter for adjustment under section 62 of the Act of 1888.

42. Nothing in this Order shall empower the Corporation to claim to maintain and repair any main road situate within the added area.

Saving for main roads within added area.

43. Any 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 for being a councillor or guardian by reason of the alterations of area made by this Order.

Saving for qualification of councillors &c.

44.—(1) No alteration effected by this Order shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Rural Council or any contract deed bond agreement or

Savings for legal proceedings contracts &c.

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A.D. 1927. other instrument (subsisting immediately before the appointed day) entered into or made by that Council or their predecessors :

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Order.*

Provided that—

- (a) Any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Rural Council in relation to the added area or any part thereof may be continued prosecuted and enforced by or against the Corporation; and
- (b) All contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by the Rural Council (or their predecessors) in relation to the added area or any part thereof may be continued and enforced as fully and effectually as if instead of that Council (or their predecessors) the Corporation had been a party thereto.

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

Saving for powers of Minister &c.

45. Nothing in this Order 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 or of any county council under the Act of 1888 or the Act of 1894.

Polling districts for parliamentary and county council elections.

46. Nothing in this Order shall affect the powers of the County Council for the division of the Parliamentary County of Berks into polling districts for parliamentary elections or for the division of the County into polling districts for the election of county councillors or any existing order or scheme for either purpose or for naming the polling places at any such election.

Ecclesiastical divisions and charities.

47. Nothing in this Order 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 15 & 16 Geo. 5. c. 90.

48. Nothing in this Order shall affect the operation of such of the provisions of the Rating and Valuation Act 1925 as have not come into operation.

Short title.

49. This Order may be cited as the Wokingham (Extension) Order 1927.

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THE SCHEDULE.

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CONFIRMATION ACTS RELATING TO THE EXISTING BOROUGH.

Session and Chapter.	Short Title.	Order thereby confirmed.
57 & 58 Vict. c. xliv.	The Local Government Board's Provisional Order Confirmation (Gas) Act 1894.	The Wokingham Gas Order 1894.
62 & 63 Vict. c. cxiv.	The Local Government Board's Provisional Orders Confirmation (Gas) Act 1899.	The Wokingham Gas Order 1899.
4 & 5 Geo. 5. c. cxxvii.	The Local Government Board's Provisional Orders Confirmation (Gas) Act 1914.	The Wokingham Gas Order 1914.

Given under the Official Seal of the Minister of Health
this Twenty-ninth day of April One thousand nine
hundred and twenty-seven.

(L.S.)

H. W. S. FRANCIS
Assistant Secretary Ministry of Health.

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